



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, September 4, 2018
City Hall – 685 W. Montrose Street, Clermont, FL**

**CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE
MINUTES**

August 7th, 2018 Planning and Zoning minutes

**REPORTS
NEW BUSINESS**

Item 1 - Resolution 2018-27R
Citrus Tower Charter School CUP

Consider a Conditional Use Permit to allow a 42,000 square foot K-8 Charter School with an enrollment of up to 700 students on property located at the northwest corner of Steves Road and Citrus Tower Boulevard.

Item 2 - Resolution No. 2018-33R
South Lake Medical Arts CUP

Consider amendment to Conditional Use Permit (Resolution 2016-42) to allow an increase to the square footage for the professional office space for property located at the southwest corner of Oakley Seaver Drive and Citrus Tower Blvd.

Item 3 - Ordinance 2018-31
607 Lake Ave PUD Rezoning

Consider a PUD ordinance to allow three single-family residential lots at the southeast corner of Minneola Ave. and Lake Ave.

**Discussion of Non-Agenda Items
ADJOURN**

Any person wishing to appeal any decision made by the Planning and Zoning Commission at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Development Services at 352-241-7302.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the

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document, picture, video or item must be provided to the Recording Clerk for the City's records.

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
August 7, 2018

Page 1

The meeting of the Planning & Zoning Commission was called to order on August 7, 2018 at 6:30 p.m. by Chairman Cuqui Whitehead. Commissioners present were Herb Smith, Carol Thayer, David Colby, Julie Santos, Max Krzyminski and Tony Hubbard. Curt Henschel Planning Manager, John Kruse, Senior Planner, Regina McGruder, Senior Planner, Dan Mantzaris, Legal Counsel for the City, were also in attendance.

MINUTES of Planning and Zoning Commission meeting held on June 5, 2018 required corrections. Page 4, 6 and 9 required grammatical corrections.

Chairman Whitehead entertained motion for minute amendments. Commissioner Krzyminski moves to approve the requested motion; it was seconded by Commissioner Santos. The vote was unanimous for approval. Motion passed 7-0.

REPORTS:

Commissioner Thayer congratulated the City of Clermont for opening on Victory Pointe.

Commissioner Smith congratulated the organizers of the July 4th event. Stated fireworks were great and best ever seen.

REQUEST:

Item # 5: Lake Felter Grant Presentation

APPLICANT: *Presentation*

City Engineer, Terry Dykehouse, presented the staff report as follows:

The Florida Department of Environmental Protection provides funds through the Florida Recreational Development Assistance Program's competitive grants for the acquisition or development of outdoor recreational facilities. The program places a priority on projects that include facilities that enhance opportunities for children under the age of 12. There is a 100 percent match to the grant with a maximum grant amount of \$ 250,000.

No questions, no action needed.

REQUEST:

Item # 1: Consider Land Development Code changes to the parking requirements.

APPLICANT: *Parking Code Amendment*

Acting Development Services Director, Curt Henschel, presented the staff report as follows:

The City staff has embarked on a comprehensive, citywide evaluation of parking and the relationship to the quality of life, economic development and environmental sustainability of the community. The city parking code has not been updated since the 1980's. The goals of the study were to: (1) identify parking issues, concerns and needs- both current, and to the extent possible, anticipated future needs; and (2) identify implementation strategies to address the stated issues, concerns and needs.

For purposes of accomplishing the task, city staff inventoried and examined 661 acres of commercial parking within the city limits for its use and function. At the same time, a stakeholder group was formed to assist in gaining industry and subject matter insights, along with health equity information. An oversupply of vehicular use areas and parking can impact and shape community health experiences. The stakeholder group included commercial developers, commercial engineers, architects, and healthcare leaders, persons representing individuals with physical disability, Chamber of Commerce, citizens and property owners. City staff also benchmarked the parking current code against neighboring peer-cities of like size and function.

Staff is proposing the following changes to the City Parking Code which reduce or modify parking requirements for several land use categories including, most notably, retail, commercial retail centers, warehousing and wholesaling uses. Staff conducted extensive research to arrive at the recommended parking requirements, including a comparison between other cities, discussions with the business community and testing the recommend requirements on existing commercial and industrial properties to gauge their level of impact. Staff also conducted several field surveys of existing commercial and industrial properties to verify actual parking demands.

This amendment would provide meaningful regulatory relief to the business community by reducing the number of parking variance requests reviewed by the Planning Commission. The recommended amendment was carefully developed to meet and balance the needs of the business community while ensuring that the changes will not create detrimental parking shortages in the community.

Chairman Whitehead opened the floor to the public. There was no one present to speak. Chairman Whitehead immediately closed to public portion of the hearing, and returned it to the Board.

Commissioner Thayer is questioning the parking removal in downtown.

Curt Henschel states no parking is being removed in downtown. They are taking one section in from the verbiage of the city and using it elsewhere.

Chairman Whitehead entertained motion for minute amendments. Commissioner Thayer moves to approve the requested motion; it was seconded by Commissioner Krzyminski. Motion passed

REQUEST:

Item #2: Consider ordinance to the Land Development Regulation to add a Special Overlay District that will regulate commercial uses along arterial roadways.

APPLICANT: *Special Overlay District LDC*

Acting Development Services Director, Curt Henschel, presented the staff report as follows:

City staff has performed a comprehensive evaluation of the character, context, uses, form and function of the commercial development pattern on East SR50 from US27 to the eastern city limits, and on US27 north and south within the city limits. The development pattern in these areas is of particular importance given the high-visual impact of city residents, visitors and implications for future investment in the city. At the same time, these areas are being studied because of their impact on health equity, active transportation, economic activation and environmental components.

Peer cities of the Town of Oakland, City of Winter Garden, City of Ocoee, City of Orlando and Orange County have all recently adopted Overlay Zoning Districts to provide for more uniform and quality development patterns to improve visual character and enhance property values.

In accomplishing the study, City staff examined the current and future commercial development patterns, the Overlay Zoning Districts in adjacent towns and cities, pedestrian connectivity, and the visual character, design and context of the commercial land development. All of these elements were also examined as they relate to neighboring residential neighborhoods and the physical and visual impact commercial development patterns in the subject area may have on the physical and visual harmony with those neighborhoods.

Staff also engaged property owners, developers, real-estate professionals and citizens in the development of the draft Overlay Zoning District to understand insights, challenges and opportunities, and to plan for more orderly and quality development of the SR50 and US27 Overlay Zoning District area.

Staff has designed an East SR 50 and US Hwy 27 Overlay Zoning District to promote a more orderly, quality and cohesive development pattern for this high profile gateway into the City. It is intended to prevent the over-concentration and duplication of uses, such as of motor vehicle sales and leasing uses to avoid a continuous and repetitive pattern of land uses, and to encourage the location of motor vehicle parts, and service land uses be screened from Highway 50 and US27. It is also intended to further define certain uses based on function and visual impact so they are located in areas on the development site that are further separated from the Highway 50 and US27 frontage. Further, the East Highway 50 AND US27 Overlay District encourages subject

areas to provide for a mix of uses that provides for all modes of active and motorized transportation for all modes and abilities.

The proposed Overlay Zoning District also includes additional site design standards to enhance the physical and visual form and function of development and re-development within the area. Adoption of the proposed Overlay Zoning District would put landowners, developers, and the general public on notice that special opportunities exist for the development and re-development of the area and, concurrently, that special provisions or limitations may be placed on the development of land within the area. It will also identify specific standards to be followed in the development of the area, which standards shall supersede conflicting general standards of this Code and shall be consistent with the Comprehensive Plan, and encourage, but not require, the use of the PUD district to facilitate the achievement of the development objectives of the City outlined in the specific Special Overlay District defined below.

The existence of a Special Overlay District on the official zoning map of the City signifies that the following may be applicable to development:

- 1) The Special Overlay District may amend, refine or restrict the allowable uses of the underlying zoning district, whether those uses are permitted by right or by conditional use; and
- 2) The Special Overlay District may include specific site and building design criteria that are in addition to those that are required by the underlying zoning district. These include, but are not limited to building setbacks, height, and FAR, vehicular access, landscaping, lighting, and signage.

Permitted Uses

The uses allowed under this overlay are those permitted within the underlying zoning district as further described in this Article, except as provided below:

Prohibited uses within the SR50 Frontage Zone and US27

Motor Vehicle Sales and Leasing (including, but not limited to automobiles, motorcycles, boats and other motorized vehicles)

Motor Vehicle Parts (including tire sales and service, but not limited to automobiles, motorcycles, boats and other motorized vehicles)

Motor Vehicle Service (including quick lube/oil change facilities, but not limited to automobiles, motorcycles, boats and other motorized vehicles)

Truck Rental or Leasing as a principal use

Self-Storage facilities of any type

Outside Storage as a principal or accessory use

Prohibited Uses within the SR50 Core Zone and US27

Motor Vehicle Sales and Leasing (including, but not limited to automobiles, motorcycles, boats and other motorized vehicles)

Non-climate controlled and/or drive-up self-storage facilities

Outside Storage as a principal use

Building – Street Relationship (10 min, 60 max)

The building setback from East Highway 50 and US27 shall be as follows:

Minimum	10’
Maximum	60’

Any commercial subdivision of two or more lots may allow buildings beyond the 60’ maximum setback as long as 35 % of the linear width of the master tract contains linear building frontage.

Chairman Whitehead opened the floor to the public.

Jimmy Crawford, 1201 W. Hwy 50. Local attorneys and all businesses he represents are opposed due to bad planning. SR 50 is built; analysis shows that 95% of business are non-conforming. Planning perspective, city is built out. Turns existing business into outlaws. Business community will be swiped out. Overregulation and not needed. Lastly, believes it is a questionable legality. City has to allow all uses in the City.

Cecilia Bonifay, 420 South Orange Ave, Orlando. Impact to client that bought an automobile dealership. States it is an inverse condemnation that will result in a legal action to the City. Current businesses that are currently established will be outlawed. Encourages City to vote no, as it is not in the best interest of the City.

Jonathan Huels, 215 N. Eola Drive, Orlando, Lowndes Attorney. Working on Plaza Collina project. CUP allowed them the right to come back in and feel like the rug has been pulled out from under them. Needs to go back and re-evaluate how this change will affect

Scott Glass, 300 S Orange Ave, Orlando, Shutts and Bowen Attorneys, state there are glitches in the ordinance that will affect the city. Urges city to go back and re-evaluate the issues, as it will cause legal issues in the future. States that no one would buy a business when it is non-conforming. Recommends it be tabled or taken back to staff.

Sam Sebaali, 5127 S. Orange Ave, Orlando, Florida Engineering Group, states item number 9 that will be affect by this ordinance. All projects will require Conditional Use Permits. Encourages to consider to taking back to staff and reconsidering.

Paul McNamara, 16005 SR 50. Stakeholder and partner of Reed Nissan Clermont who will be impacted by this ordinance. States car dealers provide service to the community, donate to charities. Believes they are big piece to City of Clermont and Lake county.

Mike Deardoff, 1101 E Hwy 50, Clermont. Has owned a business for 50 years and believes future businesses that decide to sell will be impacted. They were never contacted on current issue.

Rick McCoy, 552 S. Hwy 27, Clermont. Does not understand the philosophy of establishing a downtown like aesthetic. We should maintain City green.

Chairman Whitehead closed to public portion of the hearing, and returned it to the Board.

Commissioner Thayer believes that staff, or city needs to do more researching.

Commissioner Smith has excused himself as it will result in conflict of interest.

Mr. Henschel understand concerns and would gladly take to council.

Mr. Mantzaris states this was a directive that came through council. Council is looking for recommendation from the City.

Commissioner Krzyminski recommends denial

Commissioner Hubbard recommends denial.

Chairman Whitehead states we have to take residents consideration on not wanting anymore future car dealerships.

Chairman Whitehead entertained motion for item 2. Commissioner Hubbard moves to Deny the requested motion; it was seconded by Commissioner Colby. Motioned passed 6-0

REQUEST:

Item # 3: Consider amendment to the Land Development Code to review development standards for obtaining a density bonus to encourage affordable and mixed income housing opportunities where they may not otherwise be provided by the private marketplace.

APPLICANT: *Land Development Code Amendment Density*

Acting Development Services Director, Curt Henschel, presented the staff report as follows:

This request is to Amend the Land Development Code to review development standards for obtaining a density bonus to encourage affordable and mixed income housing opportunities where they may not otherwise be provided by the private marketplace.

According to the National Low Income Housing Coalitions annual report, the Orlando MSA, of which Clermont is in part, currently ties for second worst in the country for available affordable housing, offering only 17 available and affordable units per 100 renters.

The predominant employment characteristic of Clermont, is hospitality and retail, whose average wage is minimum wage. To this end, many of the large employers in Clermont are sizable in nature, though offering part-time employment as the bevy of positions offered.

44% of area residents are “cost-burdened” which means they pay more than 30% of income toward housing costs. Federal and state housing subsidies alone do not provide the flexibility to increase the inventory of affordable housing in Clermont.

Across the United States, many local jurisdictions have passed ordinances requiring inclusionary housing. Inclusionary housing means that each residential development must include a set-aside, or portion of housing units that are designated as affordable.

The proposed amendment will provide an opportunity for greater availability of affordable housing inventory through a density bonus and set-aside of floating units.

Specifically, this amendment proposes to:

- Allow for an increase in density along the Hooks Street Corridor, most proximate to major employment hubs and transit access. The increase in density would amend the current 12 du-acre and allow for a density bonus up to 20 du-acre with set aside of floating units for affordable housing.
- Allows for an increase in density along future annexed parcels within the Wellness Way area, excluding those properties fronting Hartwood Marsh. These properties are most proximate to future employment hubs and area of transit with access into the Orange County and Four Corners area. The increase in density would amend the current 12 du-acre and allow for a density bonus up to 25 du-acre with set asides of floating units for affordable housing.

An administrative review is required to ensure that the proposed project and its intended occupants meet the standards and income requirements for affordable housing. All developers are required to schedule a pre-application meeting and complete an application for density bonus with the Economic Development Department. Annual verification of leased units as part of the density bonus is required from the date originally certified.

The applicant must enter into a management agreement with the City, a community land trust, or other instrument mutually agreeable to the City and the applicant, to administer the affordable set-aside units. This agreement must address marketing, applicant screening, the process for establishing rental rates, monitoring, Fair Housing requirements, and other elements as determined by the Economic Development and Development Services Department.

Projects may not pay a contribution in lieu of to attain a density bonus.

Staff recommends approval of the Proposed LDR Density changes.

Chairman Whitehead opened the floor to the public.

Steve Smith, 1323 Brookhaven Dr., Clermont, asks what are the basis for the rental rates?
Recommends approval of item.

Mr. Henschel did not have the rates on what would be considered affordable.

Chairman Whitehead closed to public portion of the hearing, and returned it to the Board.

Commissioner Hubbard questions wellness way density increase.

Mr. Henschel states that it is 20 per parcel.

Chairman Whitehead entertained motion for item 3. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Santos. Motioned passed 7-0

REQUEST:

Item # 4: Consider ordinance to change the text of the Future Land Use Element of the City's Comprehensive Plan to provide an opportunity to increase density for affordable housing units in the Commercial and Master Planned Development Land Use Categories.

APPLICANT: *LU Text Amendment Density*

Senior Planner, John Kruse, presented the staff report as follows:

This is a staff initiated Future Land Use text amendment to encourage affordable and mixed income housing opportunities where they may not otherwise be provided by the private market place. The proposed text amendment is to allow a higher density through a density bonus program for a specific number of affordable housing units to be included in the overall project. The Commercial and Master Planned Development Future Land Use Category were the primary land use categories that would benefit directly with affordable housing locations in the City. The goal is to have housing stock close to employment areas, public transportation opportunities, walkable communities and from working, shopping, and entertainment venues.

Some of the recent apartment communities and residential developers have asked about higher density in exchange for affordable housing units added to the overall project. This practice is known as inclusionary housing. Inclusionary housing means that each residential development will include a set-aside, or portion of housing units that are designated as affordable.

The number of bonus units will be pro-rated to the number of units offered for a specific income level. The income levels will be extremely low income households, low income households, or moderate income households of the Clermont's Area Median Income (AMI). Land Development Regulations would address the affordable housing bonus density in greater detail and the requirements of the program. This proposed text amendment provides the framework for the consideration to allow an increase in density, if certain criteria is met, in the Commercial and Master Planned Development Future Land Use Category.

The proposed text amendment would provide an increase from 12 units per acre up to 25 units per acre in the Commercial and Master Planned Development Future Land Use Category. Comprehensive Plan Objective and Policies from Chapter III in the Housing Element support the proposed text amendment.

The evidence provided in the existing Housing Element of the Comprehensive Plan and the growing need for affordable housing in our community supports the requested text amendment. The text amendment sets the stage for future affordable housing opportunities that are currently non-existent due to high development costs and housing density limited to 12 units per acre. Therefore, staff recommends approval of the text amendment to change the density of Commercial and Master Planned Development Future Land Use Categories to encourage affordable housing opportunities in the City of Clermont.

Chairman Whitehead opened the floor to the public.

Steve Smith, 1323 Brookhaven Dr., Clermont. Questions if this is part of the Master Plan.

Mr. Kruse clarifies the color coordination and stating the item is not part of the master plan and the red color is in the comprehensive plan component that will be taken to state for review and approval.

Chairman Whitehead closed to public portion of the hearing, and returned it to the Board.

No questions from commissioners.

Chairman Whitehead entertained motion for item 4. Commissioner Krzyminski moves to approve the requested motion; it was seconded by Commissioner Hubbard. Motioned passed 7-0

REQUEST:

Item # 6: Consider a Conditional Use Permit for a carwash facility located in the C2 General Commercial zoning district on 1.63 acres located at the southeast corner of Oakley Seaver and SR 50.

APPLICANT: *King's Car Wash CUP*

Item has been withdrawn.

Chairman Whitehead entertained motion for item 6. Commissioner Kryzismki moves to approve the requested motion; it was seconded by Commissioner Smith. Motion passed 7-0

REQUEST:

Item # 7: Consider a Conditional Use Permit to allow a 3,000 square foot convenience store with 8 fueling islands and 16 pump stations located at the southwest corner of State Road 50 and East Ave.

APPLICANT: *7Eleven East Ave*

Senior Planner, John Kruse, presented the staff report as follows:

The applicant, S&ME Inc., is requesting a conditional use permit for a convenience store with gas pumps in the C-1 Light Commercial district. Section 122-204 of the Land Development Code permits this type of use only through a conditional use permit. The property is located at the southwest corner of SR 50 and East Ave. The property is approximately one acre in size. The applicant is proposing a 3,000 square foot convenience store with 8 fueling islands and 16 fueling positions. The project will access from SR 50 (Right in entrance only) and entrance/exit on East Ave. The applicant has not identified any variance requests and will develop the site to meet the City's Architectural Standards and Land Development Code. The granting of the conditional use permit does not appear to adversely affect the City's Comprehensive Plan.

The current zoning of the property is C-1 Light Commercial and the purpose of this district is to provide light retail sales and services that would not be detrimental to adjacent residential districts. An analysis of the current service stations along the Highway 50 corridor within a mile of the site revealed that they are substantially smaller in size relative to the number of fueling positions the applicant is proposing. The existing service stations range from four fueling positions up to eight fueling positions. The applicant is proposing 16 fueling positions, which is the same number as the WaWa service station and the existing 7-11 Mobil station at US 27 and Hwy 50 intersection area. These stations are located in the C-2 General Commercial zoning designation.

The proposed use is one of the highest trip generators, according to the Institute of Traffic Engineers (ITE). The proposed convenience store will generate approximately 1,835 daily trips, 115 AM Peak Hour Trips, and 145 PM Peak Hour Trips. These numbers are not adjusted for pass-by trips, or vehicles that will stop on the way to a predetermined selected destination. With the proposed access points and current roadway configuration, all of the traffic will exit onto East Avenue. It is evident that the addition of this use at this location will generate more daily trips at the intersection and on the roads serving the proposed development.

A previous Conditional Use Permit application, Resolution No. 1380, was submitted for a 7,000 square foot retail building in 2004. The City Council denied the request. The minutes cite concerns from property owners in the area and the City Council's concern with access to the property.

Staff has reviewed the proposal and is very concerned about the current traffic situation at SR 50 and East Avenue.

Staff has reviewed the application and has evidence that the proposed use will be detrimental to the health, safety or general welfare of persons residing or working in the vicinity. The proposed use will have a significant impact on the existing transportation network, especially East Avenue. Staff understands that another use, such as a restaurant that may be permitted at this location could generate similar traffic volumes. Staff's main concern is that all of the traffic will exit onto East Avenue with no other form of egress from the site, which could dissipate the traffic flow. The proposed use with 16 fueling stations is not compatible in the C-1 Light Commercial zoning district. Therefore, staff recommends denial of the request for a convenience store with gas pumps in the C-1 Light Commercial zoning district.

Tara Tedrow, 219 N. Eola Drive, Orlando, Lowndes Attorneys, representing client. Reviews presentation. Believe services and amenities need to be available to residents. Not requesting any variances and will be complying with all resolutions. No maximizing all developmental potential for this location. Removed the typical banding, tied in architectural features. Will have pedestrian accessibility if site were to be developed. Deletion of fuel canopy. Will have a pedestrian and cyclist only path. Traffic circulation was taken under consideration with engineers and staff recommendations. Functional cross access to 2nd street.

Chairman Whitehead opened the floor to the public.

Resident, Chase Forth, 955 W. Desoto, Clermont. States there is not a traffic study on the PowerPoint. From a personal stand-point he believes that road is not safe. Traffic study should be considered.

Ms. Tedrow clarifies a traffic study was submitted on April 30th by MPO. Currently working with MPO on some issues. They have complied with MPO traffic concerns. There is no access to chestnut street, but will have access to 2nd street that will lead them to SR 50.

Chairman Whitehead closed to public portion of the hearing, and returned it to the Board.

Commissioner Hubbard has same concern on intersection. As AM traffic is bad. Believes that 50 is going to be a traffic issue.

Commissioner Santos believes that it does present detrimental issues to the area. The school crossing guards are only present part-time. Believes that there should be other solutions to getting sidewalks rectified due to funding.

Commissioner Colby asks what was determined as peak hours by Ms. Tedrow.

Ms. Tedrow states 7 am to 9 am are considered peak hours.

Commissioner Thayer is concerned with traffic.

Commissioner Krzyminski is concerned on traffic issues as well as future business that will be built.

Chairman Whitehead believes that it would be a reoccurring issue and business will not be conducive to traffic.

Ms. Tedrow questions if there is an access that they could come into agreement with as far as traffic concerns.

No suggestions or alternates were provided to Ms. Tedrow.

Chairman Whitehead entertained motion for item 7. Commissioner Santos moves to deny the requested motion; it was seconded by Commissioner Thayer. Motioned passed 6-1

REQUEST:

Item # 8: Consider request to amend a Conditional Use Permit to allow a six-foot-high fence instead of landscaping as required by the conditions contained in Resolution (201603) as granted for property located at 983 West Desoto Street.

APPLICANT: *South Lake Montessori School Conditional Use Permit*

Acting Development Services Director, Curt Henschel, presented the staff report as follows:

The applicant is requesting to amend a Conditional Use Permit (Resolution No. 2016-03) to allow a six (6) foot high fence instead of the intensified landscaping along the south eastern property line where children play outside as required by the stated conditions of the Resolution as granted in the R-3 Residential/Professional zoning district. The property is located at 983 West Desoto Street and the current use is a Montessori School.

The applicant has requested and has been granted several amendments to the original conditional use permit adopted by Resolution No. 1199 on May 22, 2001 to allow a school at 983 West Desoto Street. In 2010 an amendment (Resolution 2010-11) was granted for the school expansion with up to 50 students. The latest Conditional Use Permit amendment was adopted on February 23, 2016 by (Resolution No. 2016-03) to allow for a school facility expansion and maximum student population of 65 students at this location.

As part of any Conditional Use Permit amendment request, updates to the site are normally required. The site update requirements may include landscaping improvements, drainage, impact fees, architecture and all pertinent codes. The approval conditions of Resolution No. 2016-03 (5) required landscaping be intensified along the south eastern property line where children play outside. The applicant would like to amend this condition to allow a six (6) feet high fence instead of the required landscaping.

In July of 2018 this parcel was brought in front of the Clermont Special Magistrate because of code compliance issues. The parcel was found to be out of compliance because the lack of a landscape buffer along the south property line and a curbing issue within the parking lot. The owner has agreed to install the required curbing, but is requesting to omit the required landscape buffer along the southern property line.

When evaluating a request for a conditional use permit, Section 86-144 of the Land Development Code requires specific development standards that need to be met. Staff has reviewed the proposed amendment request as presented to amend the existing Conditional Use Permit (Resolution No. 2016-03) and finds that staff cannot support any further amendment request to the existing Conditional Use Permit as granted for this location.

Jimmy Crawford, 1201 W. Hwy 50, Clermont, represents owners of South Lake Montessori. Presents the original CUP created in 2001. States they received site plan approval in 2001. States that 2014 ordinance minutes did not discuss the landscape buffers. Received another site plan approval from the county which does not show a landscape buffer. In 2018 a neighbor complained about the non-compliance of a CUP. They went before code enforcement of violation, who determined they were in violation. Code enforcement gave them until mid-October to comply. States buffer is a bad idea as the playground area is fairly small and completely utilized. The currently play area is about 5-feet from edge. States the buffer could cause harm to the children. Requesting that buffer be eliminated and a fence be placed.

Chairman Whitehead opened the floor to the public.

Tracy McCoy, 406 Nuestra Place, Groveland. Teacher believes that children could run the risk of children falling into the bushes and insects that could harm the children. Would request that the fence be adequate.

Sheryl Parker, 14102 Greater Pines Blvd, Clermont, her son attends Montessori. Believes that one specific neighbor is having issues with the school and believes that it is a waste of tax payer money. School is a great asset to the community. Suggests that neighbor find another hobby. Believes that many complaints are unnecessary. Ms. Parker states she is highly annoyed with current complaints from neighbor.

Resident, Chase Forth, 955 W. Desoto Street. Has spent 20 thousand dollars which has affected his property due to lack of curbing. States property owner did not do it right the first time which has affected his property with water damage. States there is a pattern of behavior in merits. Mr. Forth questions Mr. Mantzaris for clarification on the City Manager not have the arbitrary right to make this type of decision, under the City Code of Ordinances, Cup or site plan?

Mr. Mantzaris clarifies that the city has already received the determination from the special magistrate that the Conditional Use Permit has not been met.

Resident, Charlene Harrison Forth, 939 W. Desoto Street. States, Jan made many promises but did not keep any. States previous city manager did not follow proper protocol and continues to not follow proper protocol. Ms. Forth began to get agitated as she was speaking.

Chairman Whitehead briefly told Ms. Forth that her statements were sounding a little malicious.

Ms. Forth continuing stating that the current situation has caused damage to her son's house and has caused her stress meanwhile she is undergoing personal issues. States she has had enough and would like Jan to follow proper protocol as she promised a school playground would not be placed.

Ronald Roger, 622 S Grand Hwy. States Jan is great a person. States there is vindictive manners on Ms. Sheldon. States that Ms. Sheldon runs a great business.

Mr. Crawford, states a multitude of complaints have been filed against the city by Mrs. Forth. States Mrs. Forth has filed more than 50 complaints to the city of different occasions. Understand that City Manager does not set approvals and that is the reason they have applied for it. Mr. Crawford follows by presenting a visual of the property. Does not see what good bushes will do on the property.

Chairman Whitehead closed to public portion of the hearing, and returned it to the Board.

Commissioner Krzyminski states there is a process to follow and it should have been done right the first time.

Commissioner Hubbard asks Mrs. Forth if the fence a better buffer than bushes?

Mrs. Forth states that it's just a matter of them coming into compliance.

Commissioner Colby requests clarification on what is being asked for approval.

Mr. Mantzaris clarifies what should be considered. The curbing and all other matter do not take action tonight.

Commissioner Santos agrees with Commissioner Krzyminski does not see landscape being an issue to the children.

Commissioner Colby disagrees and believes that fence should stay and no unnecessary landscape be added.

Commissioner Smith agrees that landscape should be added.

Commissioner Thayer agrees that there should be landscaping.

Chairman Whitehead make a suggestion on the possibility of the monkey bars be moved to comply with landscape.

Chairman Whitehead entertained motion for item 8. Commissioner Santos moves to deny the requested motion; it was seconded by Commissioner Krzyminski. Motioned passed 4-3

REQUEST:

Item # 9: Consider Conditional Use Permit to allow for a self-storage facility occupying more than 20,000 square feet of floor space for vacant property located at the southwest corner of Highway 27 and Bloxam Avenue.

APPLICANT: *Clermont Storage Conditional Use Permit*

Senior Planner, Regina McGruder, presented the staff report as follows:

The applicant, is requesting a Conditional Use Permit for a self-storage facility with more than 20,000 square feet of floor space. The Land Development Code, Section 122-223 requires a conditional use permit for any business establishment that occupies more than 20,000 square feet and Section 122-224 requires a Conditional Use Permit for any self-storage facility in the C-2 General Commercial zoning district.

The subject property is located on the west side of Highway 27 and south of Hunt Street and Bloxam Avenue. The site is approximately 5.66 +/- acres and is currently vacant. The applicant is proposing construction of a mixed use project that will include a 98,245 square feet (3) story self-storage facility and 8,400 s.f. one story retail business on site.

The proposed development as designed will provide direct access to U S Highway 27 and will be required to meet any traffic impact requirements for the FDOT permit process. The self-storage facility will be gated and secured. No outside storage will be allowed. The entire site will be required to comply with the Land Development Regulations for C-2 General Commercial zoning and meet the City's Architectural Design Standards.

When evaluating a request for a conditional use permit, Section 86-144 of the Land Development Code requires specific development standards are met for granting a Conditional Use Permit. Staff has reviewed the CUP application as submitted and finds that the proposed self-storage facility use will be in direct conflict with the proposed amendment to the Land Development Code for the adoption of the State Road 50 and Highway 27 Overlay Ordinance that is on the agenda for recommendation tonight. City staff has worked with a consultant to create an Overlay Ordinance that will provide additional Land Development Standards for properties abutting the State Road 50 and Highway 27 commercial corridor. The purpose of the overlay is to establish development standards that limit certain types of uses and provides uniform design standard for properties adjacent to the commercial corridors. The intent of the Overlay district is to establish high quality development to improve visual character and enhance property values. The Overlay is designed to establish and promote orderly growth within the commercial corridor along with the achievement of the goals, objectives and policies of the city's comprehensive plan. The City would like to encourage the location of certain uses to avoid a continuous repetitive pattern of land uses and development projects. The proposed Zoning Overlay is consistent with other municipalities that have properties located on State Road 50; the City of Ocoee, Winter Garden and Orange County have adopted a similar Zoning Overlay to enhance the appearance of the corridor. Therefore, staff recommends **denial** of the Conditional Use Permit for a self-storage facility over 20,000 square feet in the C-2 Zoning District.

Applicant, Sam Sebaali 5127 S Orange Ave, Orlando. States the building is internal and will not disrupt the outside environment. States it is not intrusive and generate one-third of the traffic from

other businesses. They do not use many water and sewage. States building is not intrusive to the neighboring residential homes. Belies it would be an improvement to the existing conditions.

Ted Bolan, 1190 Business Center Drive, Lake Mary, states self-storage is the smallest traffic impact to the neighborhood. States they have built similar building in more compact cities. Believes that there is a high demand for self-storage.

Chairman Whitehead opened the floor to the public.

Linda Wright, HOA President of residential community behind building. Requested clarification on a structural issue. And is verifying there is not an exit out to Bloxam.

Mr. Sebaali answered Mrs. Wright's question stating the blue area in question is a single story building.

Resident, Judith Sweaney, 656 Harbor Villa Court, states that current building will disrupt their current views at her home and 9 others face Bloxam Ave. States traffic would be increased at Bloxam.

Resident, Geraldine Gordon, 658 Harbor Villa court, would like to know what their view would be from their patio or living areas.

Mr. Sebaali agrees that the traffic movement will be affect. They are asking the storage be approved because any other use will affect the traffic at higher quantities. States that this project is a non-intense use. States they have placed a retention point and would have view to the back of the building.

Mr. Bolan responds to residential issues in regards to the view for current homeowners. States that the back of the building is over two stories high which would not disrupt their view.

Chairman Whitehead closed to public portion of the hearing, and returned it to the Board.

Commissioner Krzyminski asked about the future development of retail.

Mr. Sebaali clarifies that their current plans display what the whole intent of what the retail would look like if they had any future plans of building a retail location.

Commissioner Krzyminski asked if the future retail would remain a self-storage?

Mr. Sebaali states that there is a possibility to future restaurant all dependent on the future demands.

Commissioner Hubbard asked if there is a possibility of there being future traffic increase when building out.

Mr. Sebaali stated that there is not. His guesstimate includes the future development traffic flow. Does clarify that there is no future of it ever being a gas-station.

Ms. McGruder clarifies that there would be a CUP would be required in the future, if a gas-station would like to be established.

Mr. Mantzaris clarifies the current proposal for the size of the self-storage.

Commissioner Colby believes that things would need to be thought out more thoroughly and is hesitant that this business would affect the future aesthetic of Clermont.

Ms. McGruder states that anything over 20,000 square feet require a CUP.

Commissioner Smith is concerned with drop of the location.

Chairman Whitehead entertained motion for item 2. Commissioner Santos moves to deny the requested motion; it was seconded by Commissioner Colby. The vote was unanimous for approval. Motioned passed 3-4

Chairman Whitehead entertained motion for item 2. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Krzyminski. Motioned passed 4-3

REQUEST:

Item # 10: Consider a Conditional Use Permit to allow for a commercial outdoor ice machine for property located at 492 Chestnut Street.

APPLICANT: *Childs Ice Machine Conditional Use Permit*

Senior Planner, Regina McGruder, presented the staff report as follows:

The applicant, is requesting a Conditional Use Permit to allow a commercial ice machine in the C-1 Light Commercial zoning district. The property is located at 492 Chestnut Street. The parcel currently has a single family home on lot that will be converted to a full service hair salon. The hair salon is a permitted use in the C-1 Light Commercial zoning district. The Land Development Code, Section 122-204 (b) requires a Conditional Use Permit for uses where classification is uncertain. The City Council approved a Conditional Use Permit on August 28, 2012 (Resolution No 2012-29) to allow a commercial ice machine at this site. The previous permit became null and void because substantial construction work did not begin within (2) years of the Conditional Use Permit approval.

The applicant is proposing to convert the single family residential home to a full service hair salon and to allow a drive thru commercial ice vending machine at this location. The commercial ice vending machines as proposed will be located on the west side of the building; with the side facing Fifth Street. The entire property will be required to comply with C-1 Light Commercial Zoning setbacks and code regulations. Because this is a drive thru and pick-up ice machine, staff considers the stacking of a minimum of eight cars to be sufficient for the proposed use. The adjacent property to the North, East and West has C-1 Light Commercial Zoning and the current zoning of the property to the South is R-2 Medium Density. The site will be required to comply with the Land

Development Codes for C-1 zoning including any parking, landscape improvements and/or building/fire codes requirements for proposed change of use.

When evaluating a request for a Conditional Use Permit, Section 86-144 of the Land Development Code requires specific development standards be met; Staff has reviewed the CUP application as submitted and finds the proposed use does meet the general criteria and will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity. Therefore, Staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2018-30R.

Applicant, Rick McCoy, 552 S. Hwy 27. Believes current owner would like to establish future profits with ice machine.

Chairman Whitehead opened the floor to the public.

Chairman Whitehead closed to public portion of the hearing, and returned it to the Board.

Chairman Whitehead stated the location could possibly impact the traffic entering the location.

Chairman Whitehead entertained motion for item 10. Commissioner Santos moves to approve the requested motion; it was seconded by Commissioner Colby. Motioned passed 7-0

REQUEST:

Item # 11: Consider a Conditional Use Permit to allow a 42,000 square foot K8 Charter School with an enrollment of up to 700 students on property located at the northwest corner of Steve's Road and Citrus Tower Boulevard.

APPLICANT: *Citrus Tower Charter School CUP*

Tabled to September 4, 2018 meeting.

Chairman Whitehead entertained motion for item 11. Commissioner Thayer moves to approve the requested motion; it was seconded by Commissioner Krzyminski. Motion passed 7-0

REQUEST:

Item # 12: Consider ordinance to rezone 6.96+/- acres from R2 Medium Density Residential to PR Parks and Recreation District at the northeast corner of Second Street and Palm Ave. for public boat ramp facility.

APPLICANT: *Bell Ceramics Rezoning*

Senior Planner, John Kruse, presented the staff report as follows:

This request is an administrative request for the former Bell Ceramics Site that is approximately 6.96 +/- acres in size. The property is located between Second Street and East Ave, north of Palm Street.

This property is owned by the City of Clermont and was acquired in November 2003. The property is zoned R-2 Medium Density Residential and was acquired with the current zoning in place. The Clermont City Council recently approved to move forward on designing and constructing a public boat ramp facility on the property. In order to have the use of the property match the zoning, it was determined that PR Parks and Recreation zoning designation would be the most appropriate.

Section 122-280 of the Land Development Code indicates the purpose of a parks and recreation district is to designate and ensure that publicly owned areas of the city are preserved for park, open space, and recreational purposes for the benefit of the residents and the overall environment. The permitted uses include publicly owned recreational facilities that may include both active and passive facilities. The proposed public boat ramp facility would be a permitted use in this zoning designation. Therefore, staff recommends approval of the rezoning request from R-2 Medium Density Residential to PR Parks and Recreation zoning district.

Chairman Whitehead opened the floor to the public.

Chairman Whitehead closed to public portion of the hearing, and returned it to the Board.

Commissioner Smith is disappointed with future use of Ceramic Bell location.

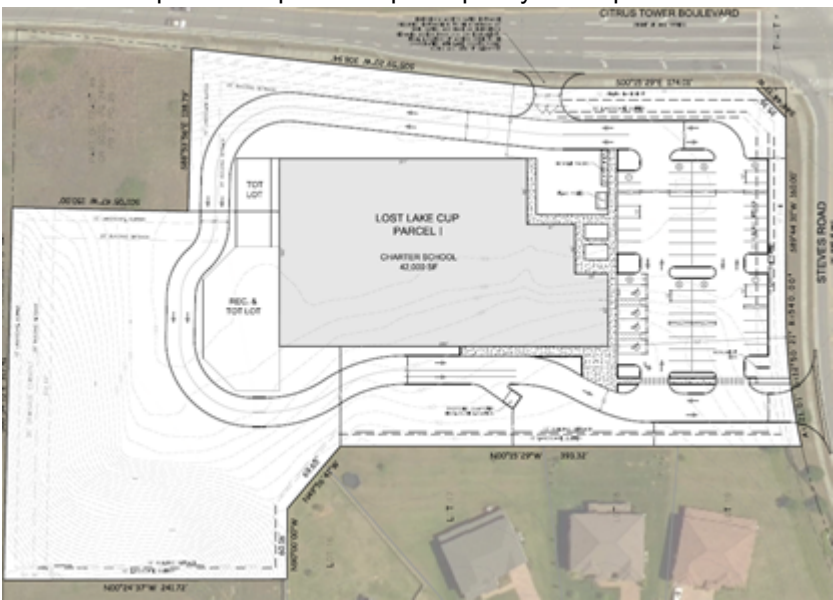
Chairman Whitehead agrees with Smith.

Chairman Whitehead entertained motion for item 12. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Colby. Motioned passed 6-1

Meeting adjourned at 9:52 p.m.



AGENDA ITEM

Meeting Date	
Tuesday, September 4, 2018	
Agenda Item Name	
Resolution 2018-27R <i>Citrus Tower Charter School CUP</i>	
Requested Action	
Recommend denial of Resolution No. 2018-27R.	
Staff Report	
The applicant, Summit Construction Management Group, is requesting a Conditional Use Permit (CUP) to construct a K-8 charter school on 5.04 +/- acres located at the northwest corner of Steves Road and Citrus Tower Boulevard. The property is currently vacant and part of the Lost Lake DRI, identified as Parcel "I". Parcel I in the Master Plan Development (Resolution No. 2010-24) can only be used for worship and daycare. In addition to worship uses the parcel can also include daycare and primary educational uses associated with the church; however, daycare and educational uses shall be subject to a conditional use approval by the City. The applicant has applied for a conditional use permit for a standalone charter school without a worship component on Parcel "I". The applicant is proposing a single-story building, up to 42,000 square feet. The maximum school capacity will be up to 700 students, grades K-8. Based upon the latest conceptual site plan, the site will have one access point from Steves Road and an emergency only access point from Citrus Tower Boulevard. The school does not provide any transportation and it will be parent drop-off and pick-up only. This portion of Steves Road is a two-lane collector road. 	
The school's hours of operation will be from 6:00 am till 6:00 pm. Drop-off generally spans from 6:30 am till 8:00 am. For pickup, each parent is given a pick-up window of time for their children based upon grade level and release time. Kindergarten-2nd grade is released and picked-up first, followed by 3rd to 5th grade and finally 6th to 8th grade is released. Each drop-off/pickup window is separated by 30 minutes to minimize traffic on the road. The school will not be operated	

year round and will follow the traditional public school schedule. The school will offer an afterschool program until 6 pm for working parents. The applicant has indicated that the facility will not be leased out on the weekend for other organizations or uses, such as a church. The initial enrollment will be approximately 400 students with the addition of an upper grade level progressing yearly until the 700 student capacity is reached. The site can accommodate up to 116 vehicles in the stacking area with 62 parking spaces. The applicant has indicated a school resource officer will be provided by the operator.

The applicant's traffic consultant, in the submitted traffic impact analysis, identified the addition of a westbound ingress right-turn lane and monitoring the current eastbound left-turn lane on Steves Road. To assist with operational issues at the school driveway, a traffic officer may aid with exiting lefts from the school in the morning, if the need arises. A less desirable option would be to temporarily close off the exiting left turn lane from the school in the morning and direct all exiting traffic westbound on Steves Road. The school resource officer will not direct traffic in the streets. An off-duty sheriff would be hired to perform this function.

The Lake Sumter MPO indicated several areas of concern with the traffic resulting from the proposed charter school. These concerns focused on the traffic condition in the area with the existing schools and citizens' concerns, stacking analysis may be too low onsite, and that the traffic counts should be conducted when school is in session in September 2018 to get an accurate idea of the impacts.

Staff has identified three schools within ½ a mile of the site and two additional schools within 1 mile of the site. The three schools within ½ a mile, East Ridge High School, East Ridge Middle School, and Real Life Christian Academy have a total enrollment up to 4,200 students (East Ridge High School: 2400, East Ridge Middle School: 1100, and Real Life Christian Academy: 700). The two additional schools, Family Christian Center School (600 students) and Lost Lake Elementary School (1000 students) add another 1600 students for a total of 5800 students that are being transported within a mile of the proposed charter school site.

When evaluating a request for a Conditional Use Permit, the Land Development Code, Section 86-144 requires specific development standards be met for granting the request. Staff has reviewed the proposed development in accordance with the development standards and finds the proposed use does not meet the general criteria for granting the requested Conditional Use Permit. Staff finds the following areas of concern for the proposed charter school at the requested location: 1) traffic from the charter school will cause the existing transportation network to be severely impacted, and 2) the location of the child drop-off and pickup is approximately fifty feet from the adjacent residential properties, which may pose a compatibility issue with the existing residential use, especially noise and lights during drop-off and pickup. Therefore, staff recommends denial of the request for a Conditional Use Permit for a charter school.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RES 2018-16R Citrus Tower Charter School		RES 2018-16R Citrus Tower Charter School.docx
2. Citrus Tower Charter Maps		Citrus Tower Charter Maps.pdf
3. Directional Photos Citrus Tower Charter School		Directional Photos Citrus Tower Charter School.pdf
4. Site Plan		CUP-01 Rev 6-26-18.pdf
5. School Landscape Plan		L1.0-LANDSCAPE LAN.pdf

6.	Northern Landscape Plan	L1.01-LANDSCAPE PLAN.pdf
7.	LSMPO Comments_Citrus Tower Charter School TIA _8-16-2018	LSMPO Comments_Citrus Tower Charter School TIA _8-16-2018.pdf
8.	Applicant Response to MPO Comments August 21 2018	Applicant Response to MPO Comments August 21 2018.pdf
9.	LSMPO Comments_Citrus Tower Charter School TIA Methodology_6-4-2018	LSMPO Comments_Citrus Tower Charter School TIA Methodology_6-4-2018.pdf
10.	Applicant Response to traffic August 7 2018	Applicant Response to traffic August 7 2018.pdf
11.	Change in student number to 700	Change in student number to 700.pdf
12.	CUP Date Request and modification	CUP Date Request and modification.pdf
13.	Application	SCH355 Clermont CUP Application- Summit signature.pdf
14.	Legal Ad Proof	Legal Ad Proof.pdf



CITY OF CLERMONT
RESOLUTION NO. 2018-27R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A K-8 CHARTER SCHOOL IN THE LOST LAKE DRI PLANNED UNIT DEVELOPMENT ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held August 7, 2018 recommended **approval** of this Conditional Use Permit to allow for a K-8 Charter School, at the following location:

LOCATION:

Northwest corner of Citrus Tower Blvd. and Steves Road
Vacant land (5.04 +/- acres)
Alternate Key 3846870

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted Comprehensive Plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location;

WHEREAS, the applicant has applied for a Conditional Use Permit to allow a K-8 charter school in the Planned Unit Development Zoning District, the subject parcel, Parcel I, is part of the Lost Lake DRI Master Plan;

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:

This application for Conditional Use Permit to allow a K-8 charter school in the Planned Unit Development Zoning District, the subject parcel, Parcel I, is part of the Lost Lake DRI Master Plan, be granted subject to the following conditions:

SECTION 1. General Conditions

1. The conditions as set forth in this Conditional Use Permit (CUP) shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. The property shall be developed in substantial accordance with the conceptual site plan prepared by Kimley-Horn, revision date of 06/26/18. Formal construction plans, incorporating all conditions stated in this CUP shall be submitted for review and approved



CITY OF CLERMONT
RESOLUTION NO. 2018-27R

by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits. The conceptual site plans submitted with the CUP application are not the approved construction plans.

4. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
5. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
6. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
7. The Conditional Use Permit must be executed and processed through the office of the City Manager within 90 days of its date of grant by the City Council or the permit shall become null and void.
8. A slab survey shall be submitted after the form boards have been installed and before the concrete has been poured. This is to ensure the setbacks and location of the building will conform to the Land Development Regulations.
9. A Traffic Study must be completed and approved by the City of Clermont, Lake-Sumter Metropolitan Planning Organization (MPO), and Lake County, in compliance with Transportation Concurrency, and the Transportation Concurrency Management System (TCMS). If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies.
10. The owner shall submit an annual report to the City of Clermont, no later than February 15 of each year, on the monitoring of the intersection of Steves Road at Citrus Tower Boulevard. The results of the monitoring will be to see if the eastbound left turn causes the Level of Service (LOS) of the intersection to deteriorate below acceptable standards. If it is determined additional traffic improvements are warranted, the developer will make adjustments in school operations to reduce eastbound left turns at the intersection to an acceptable LOS during peak hours or assist in the improvements through their proportional share. This annual report shall conclude five years after the school is in operation or upon reaching full enrollment, whichever comes last.
11. The City Police Department may determine that control of traffic movements is required for safety on Steves Road, and upon notification, the school shall be responsible to provide such service, independent of the City Police. Off-duty officers may be utilized.



CITY OF CLERMONT
RESOLUTION NO. 2018-27R

12. In the event that the noise levels create a nuisance to the surrounding property owners, the City reserves the right to open the CUP for further review and additional conditions. The public address (PA) system shall be modified to reduce or eliminate the outside noise levels to those acceptable per code.
13. Trash dumpster collections shall not start before 7:00 A.M or occur after 7 P.M.
14. Sidewalks shall be required along all public road frontages in accordance with City codes.
15. A full-time school resource officer, paid by the operator of the school, shall be provided. The City shall not be responsible for providing an officer or occur any cost related to providing school security at the site.

Section 2 – Land Use

1. The property is approved for use as a charter school facility with a maximum 700 students (K-8). High School grades (9-12) shall not be allowed. The property may also be used for a worship site, as indicated in Resolution No. 2010-24.
2. The building shall not exceed 45,000 square feet and shall conform to the City's Architectural Standards.
3. The landscape buffer along the western property line adjacent to the single-family residential lots shall have an enhanced landscape buffer. The enhanced landscape buffer, at a minimum, shall consist of 30% more plantings and a six-foot high vinyl fencing to match the existing conditions. Other landscape buffers shall also be adhered to as applicable.
4. The building shall be constructed in a manner that closely resembles the architectural style and elevation as presented in Sheet Number A-200, Elevations, prepared by LAI Design Associates, LLC, dated 04/25/2018.
5. Child afterschool extracurricular activities shall not be allowed past 6:30 P.M. without approval by the City Council.
6. The hours of operation shall be Monday through Friday, 6:00 A.M. until 6:30 P.M. No school activities shall occur on the weekend.



CITY OF CLERMONT
RESOLUTION NO. 2018-27R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of August, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Citrus Tower Charter School

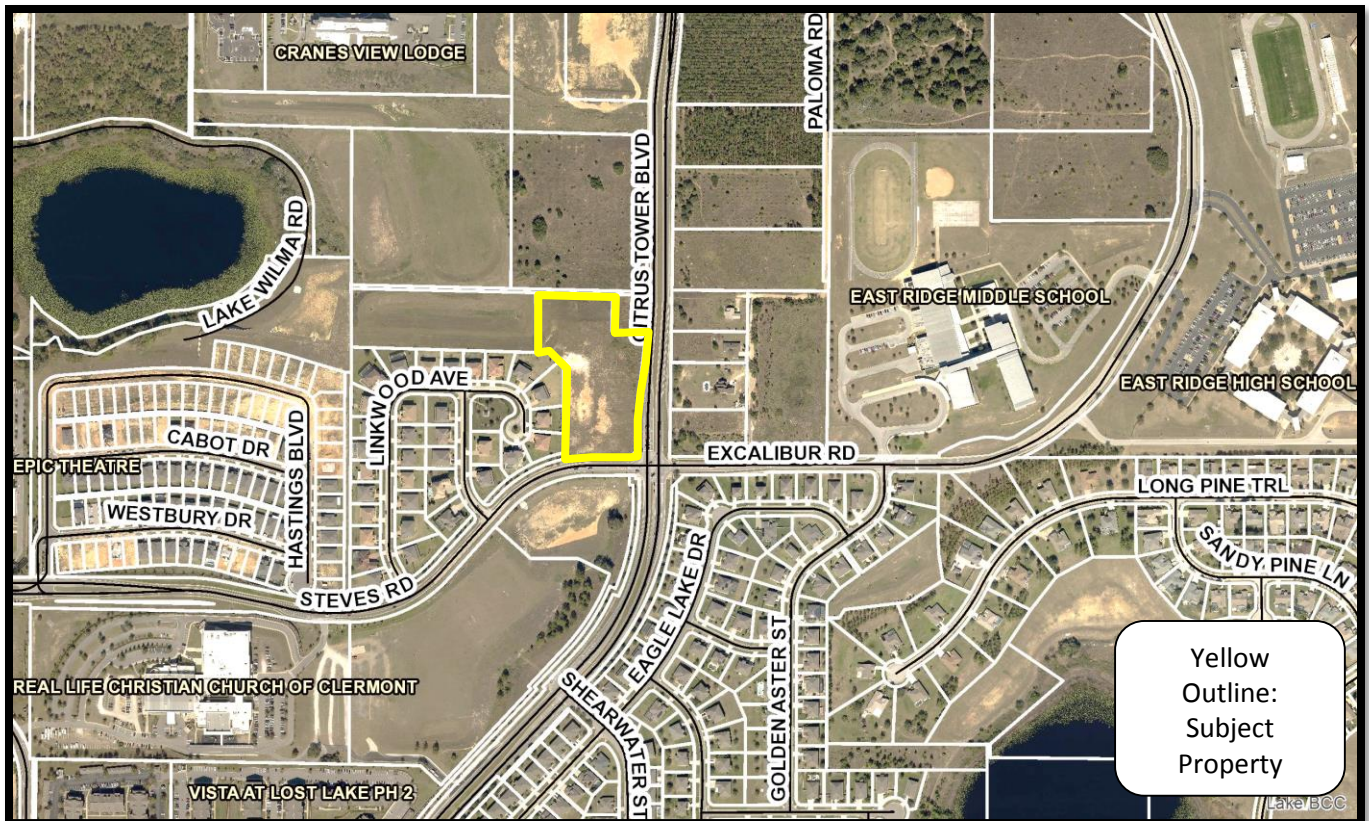
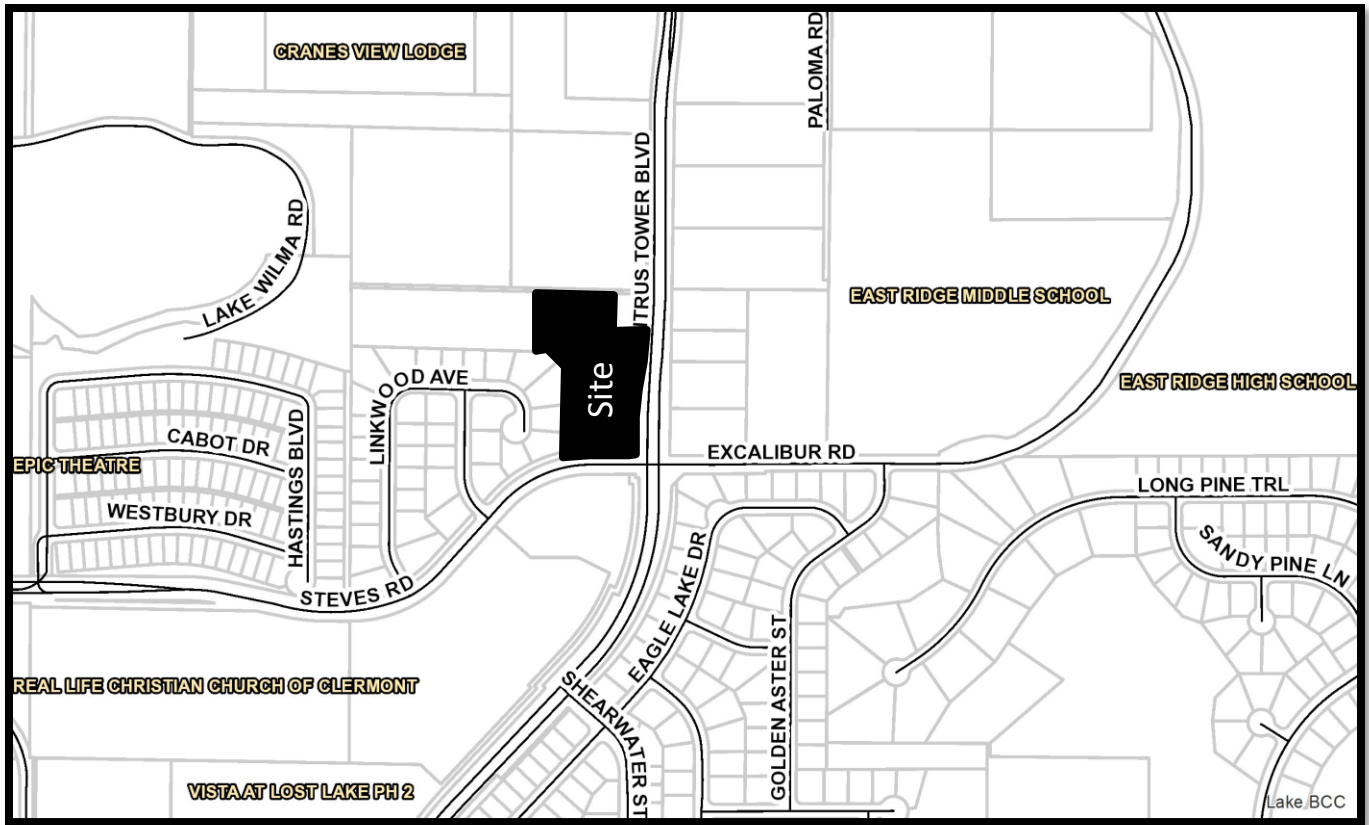


Exhibit – Future Land Use & Zoning Map – Citrus Tower Charter School

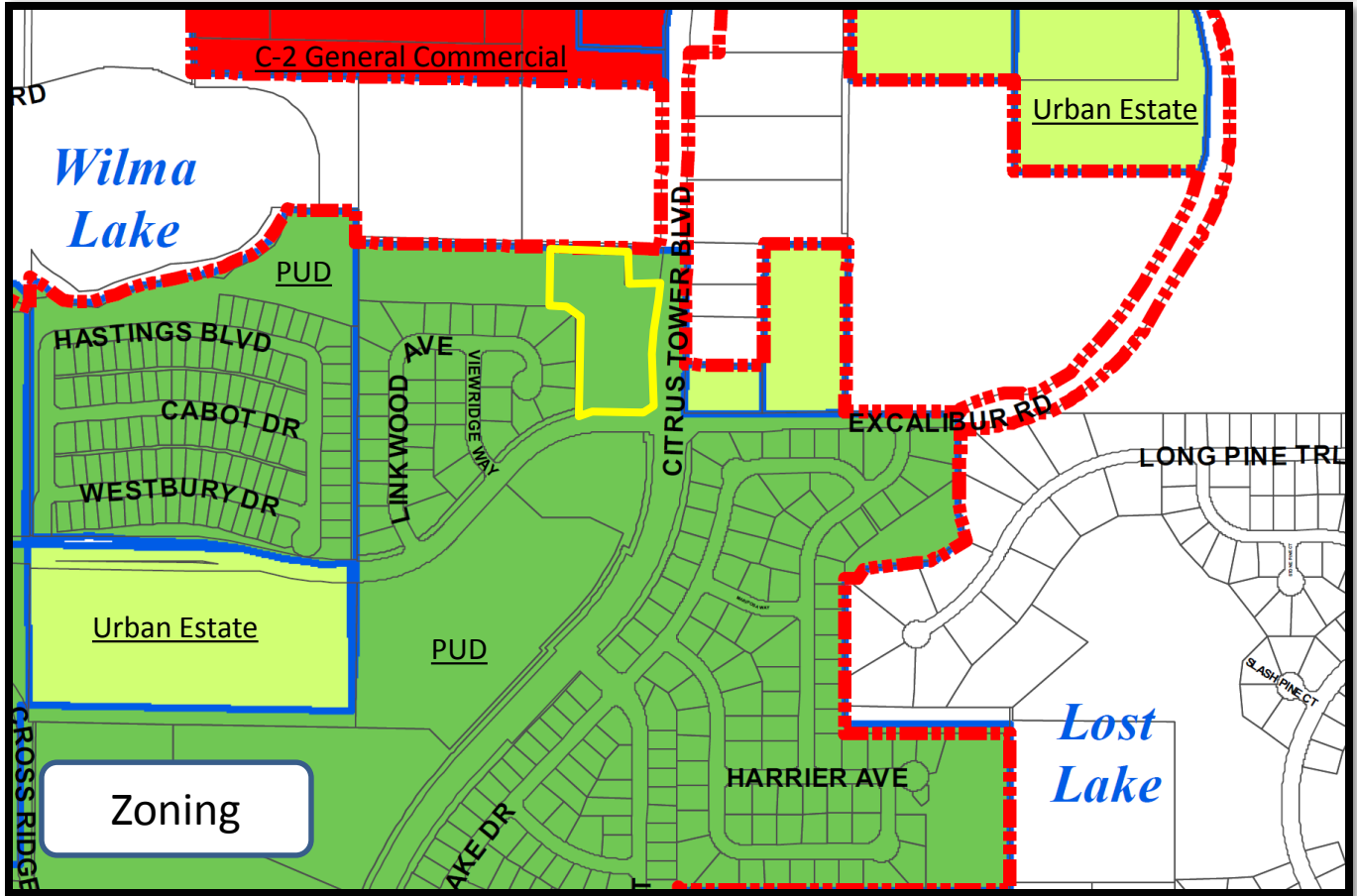
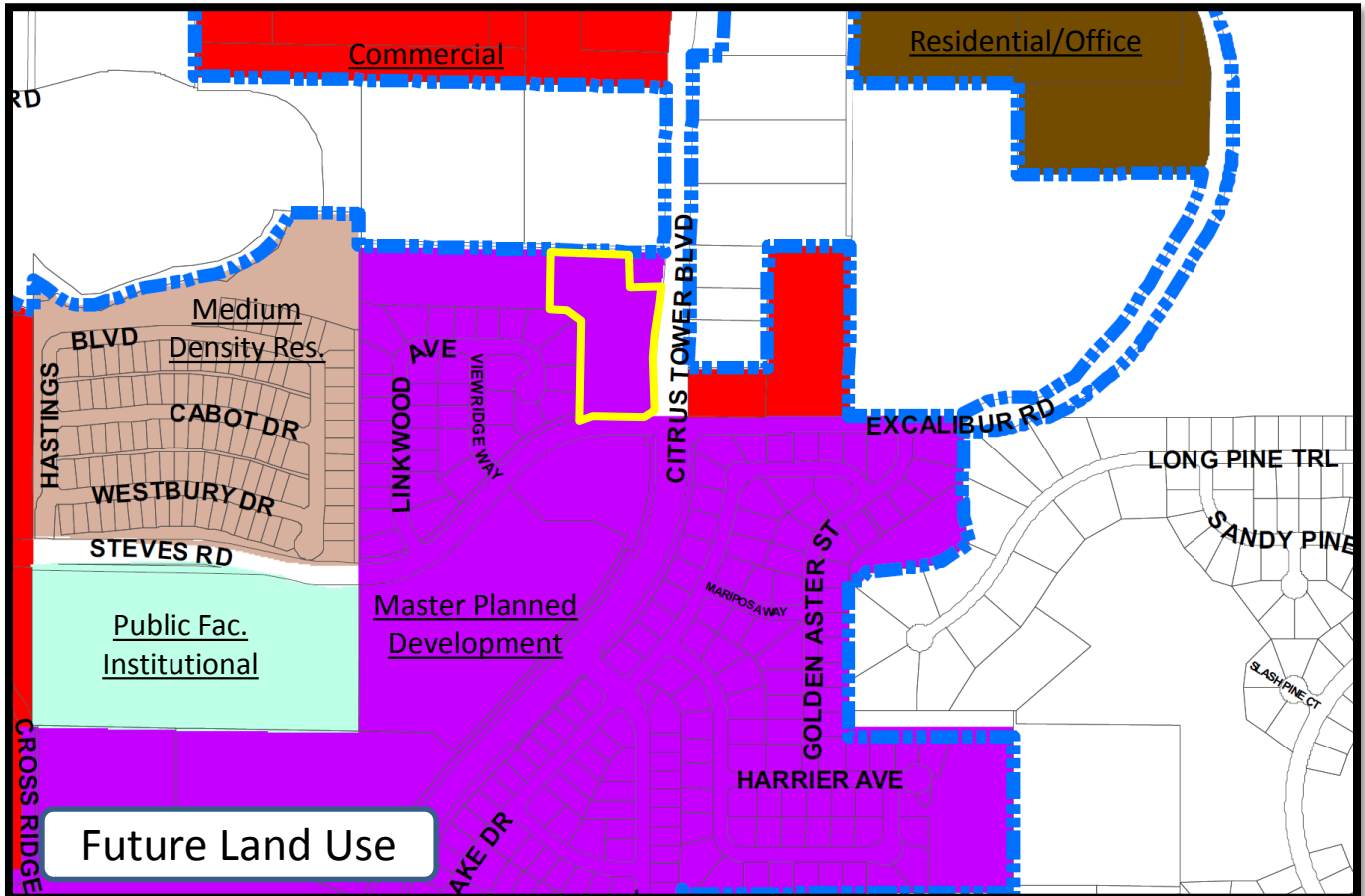
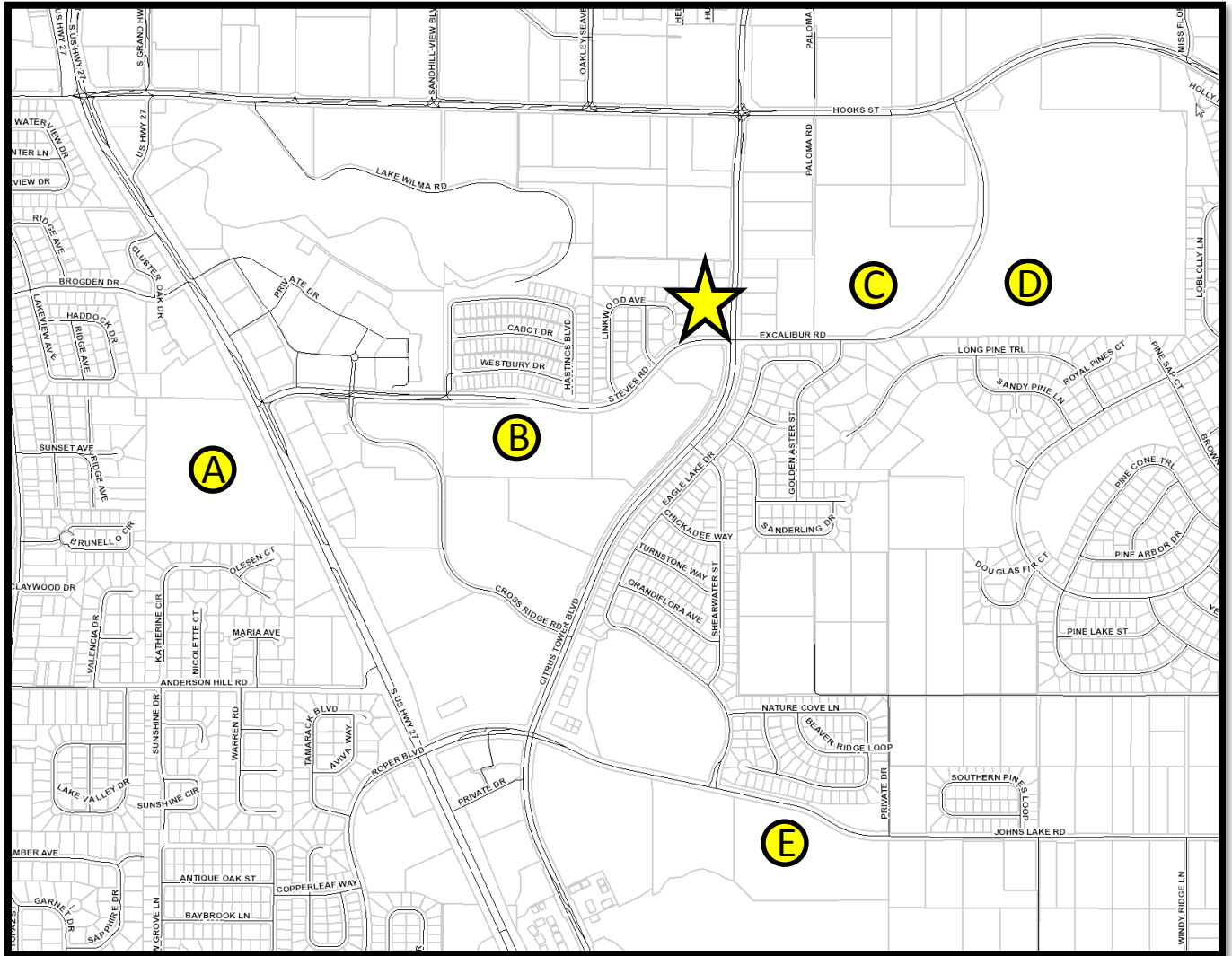


Exhibit – Site & Current School Locations– Citrus Tower Charter School



Proposed Charter School Location

Location	School	Capacity
A	Family Christian Center (K-12)	600
B	Real Life Christian Academy (K-12)	700
C	East Ridge Middle School	1100
D	East Ridge High School	2400
E	Lost Lake Elementary	1000

Citrus Tower Charter School

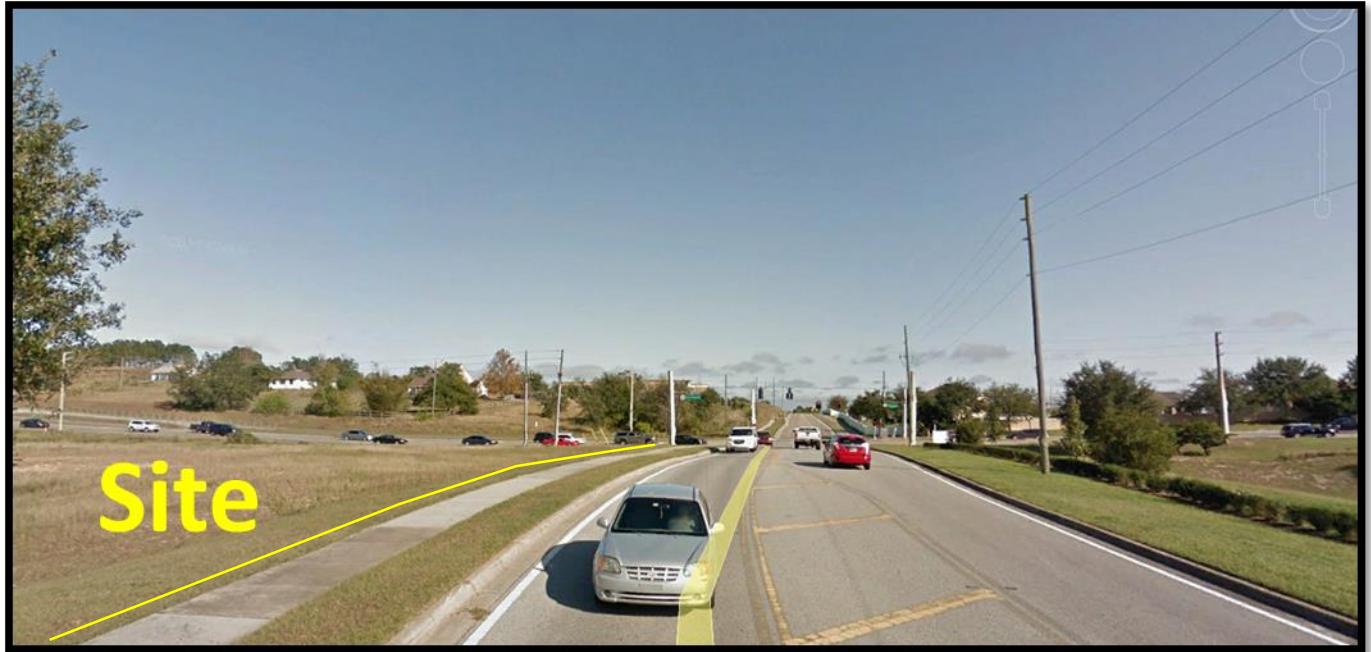


North from Steves Road & Citrus Tower Road

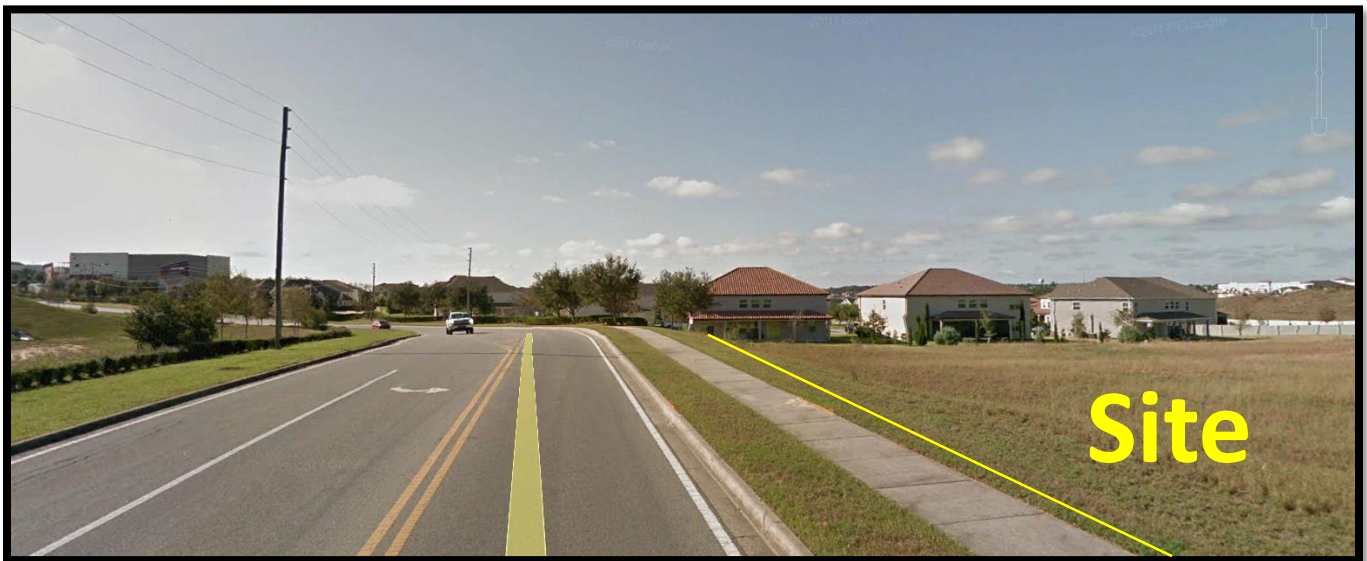


South from Citrus Tower Road & Steves Road

Citrus Tower Charter School

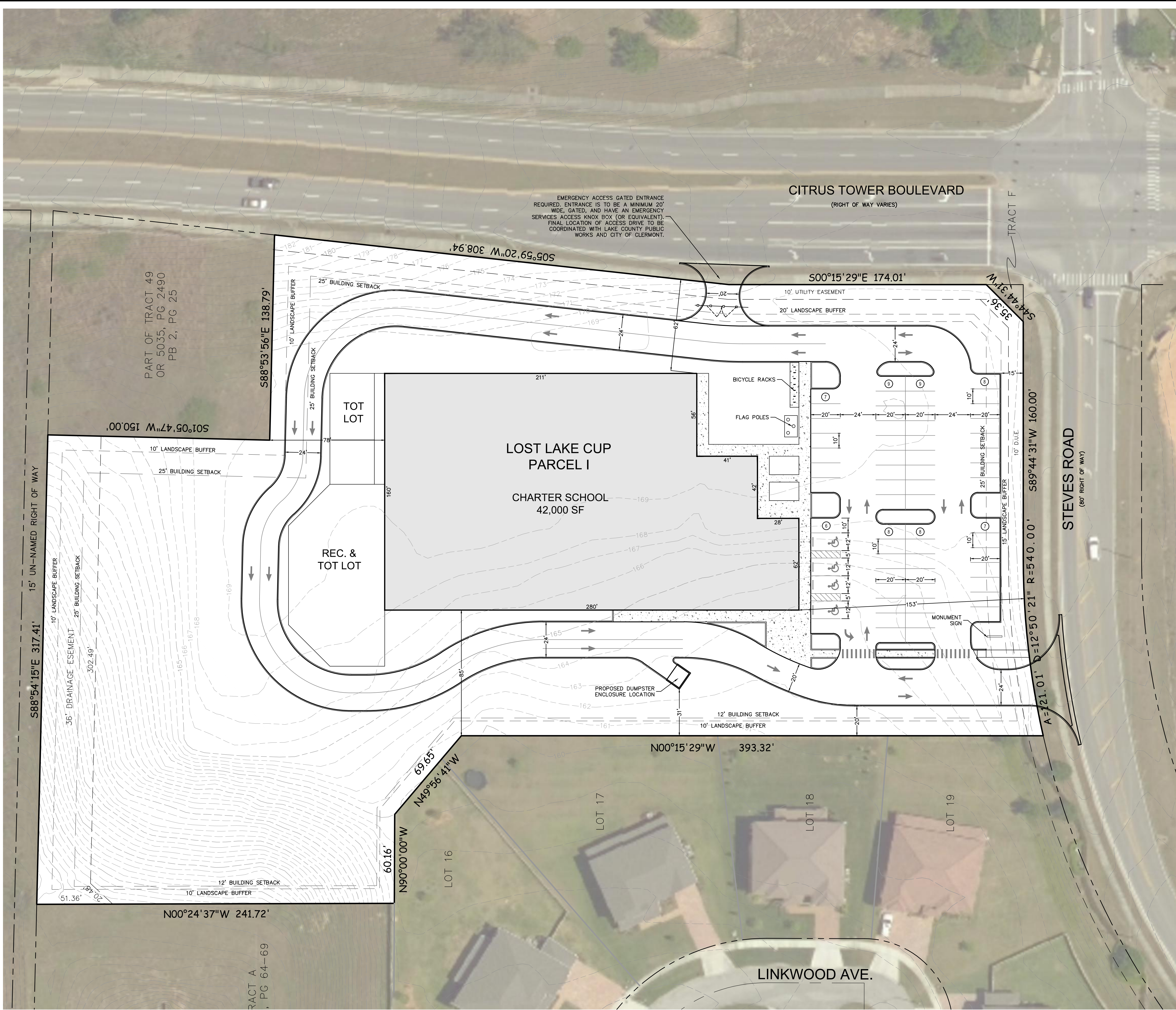


East along Steves Road



West along Steves Road

Plotted By: Gillespie, Matthew Street Set: C-U-P Layout: CUP-01-SITE June 26, 2018 06:32:18pm K:\ORL-Civil\149676007-Citrus Tower Charter School\CADD\CUP\PlanSheets\CUP-01-SITE.dwg This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



SITE DATA:		
PROJECT AREA:	5.05 ACRES	
ZONING:	PUD (LOST LAKE CUP)	
FUTURE LAND USE:	MASTER PLANNED DEVELOPMENT	
PROPOSED USE:	SCHOOL	
MAXIMUM BUILDING HEIGHT:	55 FEET	
PROPOSED BUILDING HEIGHT:	1 STORIES/12'-8" TO ROOF	
NUMBER OF CLASSROOMS:	33	
NUMBER OF STUDENTS:	700	
GRADE LEVELS:	K-8th	
BUILDING COVERAGE:		
PROPOSED FLOOR AREA	42,000 SF	
F.A.R. (42,000 SF/219,978 SF)	0.191	
BUILDING SETBACKS		REQUIRED
NORTH:	25 FT	
EAST (CITRUS TOWER BLVD):	25 FT	
SOUTH (STEVES ROAD):	25 FT	
WEST:	12 FT	
PAVING SETBACKS		REQUIRED
NORTH:	10 FT	
EAST (CITRUS TOWER BLVD):	20 FT	
SOUTH (STEVES ROAD):	15 FT	
WEST:	10 FT	
REQUIRED PARKING (FLORIDA SREF):		
1 SPACE FOR EACH FACULTY & STAFF MEMBER (40 MEMBERS x 1)	40 SPACES	
1 SPACE FOR 100 STUDENTS (700 STUDENTS/100 x 1)	7 SPACES	
TOTAL PARKING SPACES REQUIRED:	47 SPACES	
PROVIDED PARKING:		
REGULAR SPACES:	58 SPACES	
HANDICAP SPACES:	4 SPACES	
TOTAL SPACES PROVIDED	62 SPACES	

CITRUS TOWER
CHARTER SCHOOL

CITY OF CLERMONT

FLORIDA

PRELIMINARY SITE
PLAN

KHA PROJECT
149676007

DATE
04/27/2018

SCALE AS SHOWN

DESIGNED BY

DRAWN BY

CHECKED BY

LICENSED PROFESSIONAL

LIC PROF 1

FLORIDA LICENSE NUMBER
LIC PROF 1 #

DATE: ---

Kimley»Horn

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PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM CA 00000696

REV PER CITY OF CLERMONT COMMENTS

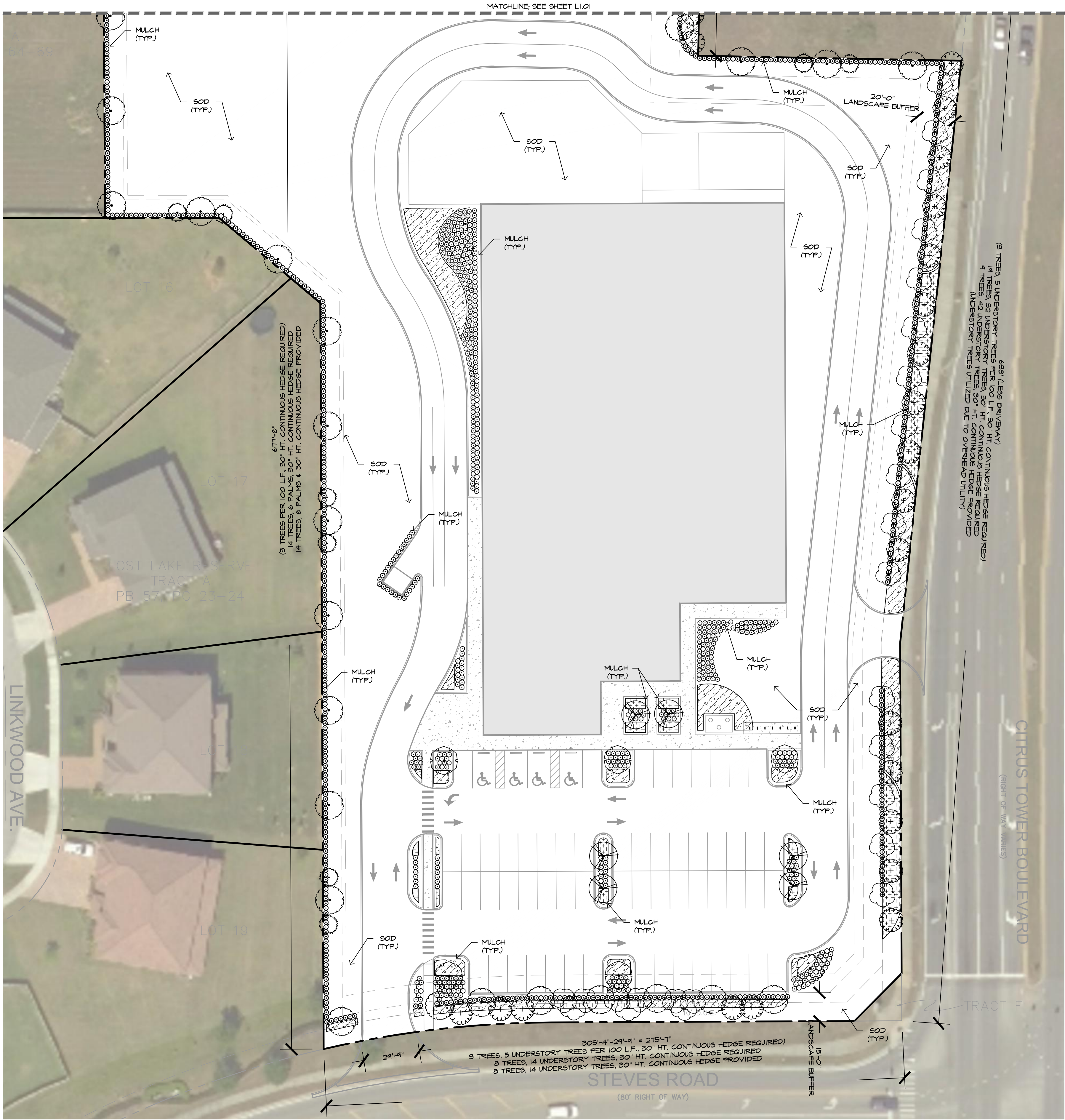
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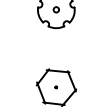
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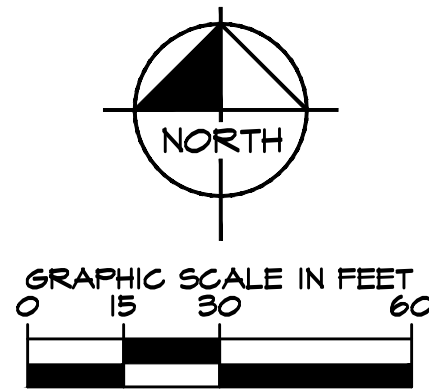
DATE

BY



PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL.	SIZE
	AF	6	ACER RUBRUM 'FLORIDA FLAME' STRAIGHT, SINGLE LEADER, FULL, FL #1	FLORIDA FLAME RED MAPLE	F6	3" CAL MIN	14' HT., 6' SPR.
	EL	27	ELAEOCARPUS DECIPiens 'LITTLE EMPEROR' STRAIGHT, SINGLE LEADER, FULL TO BASE, FL #1	DWARF JAPANESE BLUEBERRY TREE	F6	2" CAL MIN	8' HT MIN
	LY	24	LAGERSTROEMIA X 'YUMA' MULTI-TRUNK, 4 TRUNK MIN., FULL, FL #1	GRAPE MYRTLE	F6	4" CAL. TOT.	8' HT MIN
	QV	41	QUERCUS VIRGINIANA STRAIGHT, SINGLE LEAVER, FULL, FL #1	SOUTHERN LIVE OAK	F6	3" CAL MIN	14' HT., 6' SPR.
	SP	10	SABAL PALMETTO STRAIGHT, SLICK, HURRICANE CUT, FL #1	SABAL PALM	F6	-	8' CT
	UD	6	ULMUS PARVIFOLIA 'DRAKE' STRAIGHT, SINGLE LEADER, FULL, FL #1	DRAKE ELM	F6	3" CAL MIN	14' HT., 6' SPR.
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	SPACING	SIZE
	PM	25	PODOCARPUS MACROPHYLLUS FULL TO BASE, CLOSELY MATCHING	PODOCARPUS	T 6AL	30" OC	30" HT MIN
	RA	67	RHAPHIOLEPIS INDICA 'ALBA' FULL	WHITE INDIAN HAWTHORN	T 6AL	30" OC	24" HT MIN
	SA	149	SCHEFFLERA ARBORICOLA FULL	GREEN SCHEFFLERA	3 6AL	30" OC	24" HT MIN
	TD	242	TRIPSACUM FLORIDANUM FULL	FLORIDA SAMAGRASS	3 6AL	30" OC	24" HT MIN
	VO	772	VIBURNUM ODORATISSIMUM FULL	SWEET VIBURNUM	3 6AL	30" OC	24" HT MIN
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	SPACING
	DB	444	DIANELLA TASMANICA 'BLUEBERRY' VARIEGATED, FULL	BLUEBERRY FLAX LILY	3 6AL	18" FULL	30" OC
	JB	1,431	JUNIPERUS CONFERTA 'BLUE PACIFIC' FULL	BLUE PACIFIC JUNIPER	3 6AL	14" SPRD MIN	24" OC
MISC.	QTY	BOTANICAL/COMMON NAME			SPECIFICATIONS		
MULCH	TBD	FLORIMULCH			SHREDDED, GRADE 'B', 3" DEPTH MINIMUM		
SOD	TBD	PASPALUM NOTATUM 'PENSACOLA' / PENSACOLA BAHIA GRASS			ROLLED TIGHT, 100% WEEED/INSECT/DISEASE FREE		



CITRUS TOWER CHARTER SCHOOL

FLORIDA

CITY OF CLERMONT

LANDSCAPE PLAN

SHEET NUMBER

L1.0

LICENSED PROFESSIONAL

149676007

DATE

04/27/2018

SCALE

AS SHOWN

DESIGNED BY

MTF

DRAWN BY

MTF

CHECKED BY

MTF

LIC PROF 1

FLORIDA LICENSE NUMBER

LIC PROF 1 #

LIC PROF 1

FLORIDA LICENSE NUMBER

LIC PROF 1 #

Kimley»Horn

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189 S. ORANGE AVENUE, SUITE 1000, ORLANDO, FL 32801

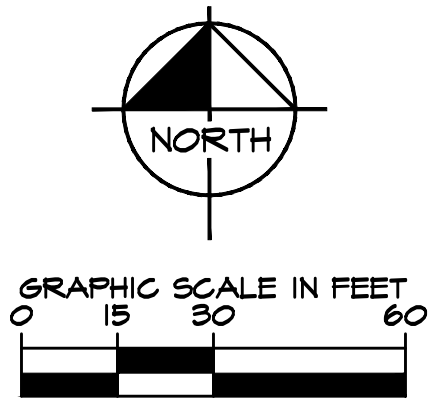
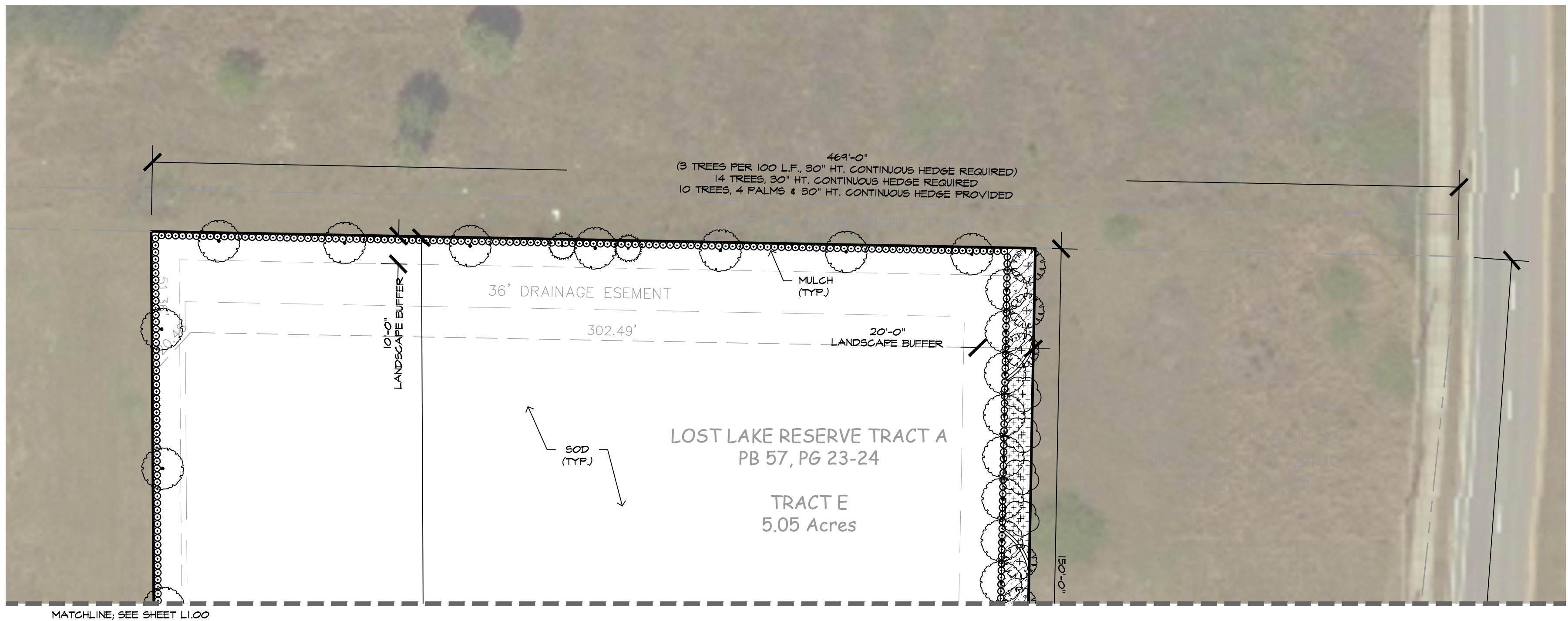
PHONE: 407-898-1571

WWW.KIMLEY-HORN.COM CA 00000696

REVISIONS

DATE

BY



PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	GAL	SIZE
	AF	6	ACER RUBRUM 'FLORIDA FLAME' STRAIGHT, SINGLE LEADER, FULL, FL #1	FLORIDA FLAME RED MAPLE	F6	3' CAL MIN	14' HT., 6' SPR.
	EL	27	ELAEOCARPUS DECIPiens 'LITTLE EMPEROR' STRAIGHT, SINGLE LEADER, FULL TO BASE, FL #1	DWARF JAPANESE BLUEBERRY TREE	F6	2' CAL MIN	8' HT MIN
	LY	29	LAGERSTROEMIA X 'YUMA' MULTI-TRUNK, 4 TRUNK MIN, FULL, FL #1	GRAPE MYRTLE	F6	4" CAL. TOT.	8' HT MIN
	QV	41	QUERCUS VIRGINIANA STRAIGHT, SINGLE LEAVER, FULL, FL #1	SOUTHERN LIVE OAK	F6	3' CAL MIN	14' HT., 6' SPR.
	SP	10	SABAL PALMETTO STRAIGHT, SLICK, HURRCINAE CUT, FL #1	SABAL PALM	F6	-	8' GT
	UD	6	ULMUS PARVIFOLIA 'DRAKE' STRAIGHT, SINGLE LEADER, FULL, FL #1	DRAKE ELM	F6	3' CAL MIN	14' HT., 6' SPR.
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
	FM	25	PODOCARPUS MACROPHYLLUS FULL TO BASE, CLOSELY MATCHING	PODOCARPUS	7 GAL	30" OC	30" HT MIN
	RA	67	RIAPHIOLEPS INDICA 'ALBA' FULL	WHITE INDIAN HAWTHORN	7 GAL	30" OC	24" HT MIN
	SA	199	SCHEFFLERA ARBORICOLA FULL	GREEN SCHEFFLERA	9 GAL	30" OC	24" HT MIN
	TD	242	TRIPSACUM FLORIDANUM FULL	FLORIDA SAMAGRASS	9 GAL	30" OC	24" HT MIN
	VO	772	VIBURNUM ODORATISSIMUM FULL	SWEET VIBURNUM	9 GAL	30" OC	24" HT MIN
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE	SPACING
	DB	499	DIANELLA TASMANICA 'BLUEBERRY' VARIEGATED, FULL	BLUEBERRY FLAX LILY	3 GAL	18" FULL	30" OC
	JB	1,491	JUNIPERUS CONFERTA 'BLUE PACIFIC' FULL	BLUE PACIFIC JUNIPER	3 GAL	14" SPRD MIN	24" OC
MISC.	QTY	<u>BOTANICAL/COMMON NAME</u>			<u>SPECIFICATIONS</u>		
MULCH	TBD	FLORIMULCH			SHREDDED, GRADE B'; 3" DEPTH MINIMUM		
SOD	TBD	PASPALUM NOTATUM 'PENSACOLA'/ PENSACOLA BAHIA GRASS			ROLLED TIGHT, 100% KNEE/INSECT/DISEASE FREE		

LANDSCAPE REQUIREMENTS (CLERMONT LAND DEVELOPMENT CODE)		REQUIRED	PROVIDED
VEHICULAR USE AREA SEC. 118-30	10 PERCENT VUA AREA TO BE LANDSCAPED 1 TREE PER PARKING ISLAND	51,995 SF - 10 = 5,199.5 SF 12 TREES	6,666 SF 12 TREES
BUFFER YARDS SEC. 118-37			
EAST: (ABUTTING PROPERTIES) 469' LENGTH, 10' WIDE, CONTINUOUS HEDGE NORTH: (ADJACENT TO COLLECTOR ROAD) 633', 20' WIDE, CONTINUOUS HEDGE	3 TREES PER 100 LF 3 TREES, 5 UNDERSTORY PER 100 LF	469' x 100 x 3 = 14 TREES 633' x 100 x 3 = 19 TREES 633' - 100 x 5 = 32 UNDERSTORY TREES	10 TREES, 4 PALMS 32 UNDERSTORY TREES
SOUTH: (ADJACENT TO LOCAL ROAD) 275.75', 15' WIDE, CONTINUOUS HEDGE	3 TREES, 5 UNDERSTORY PER 100 LF	SHRUBS AND GROUNDERCOVER = 50% OF BUFFER 275.75' x 100 x 3 = 8 TREES 275.75' - 100 x 5 = 14 UNDERSTORY TREES	SHRUBS AND GROUNDERCOVER = 50% OF BUFFER 8 TREES 14 UNDERSTORY TREES
WEST: (ABUTTING PROPERTIES) 677.67' LENGTH, 10' WIDE, CONTINUOUS HEDGE	3 TREES PER 100 LF	SHRUBS AND GROUNDERCOVER = 50% OF BUFFER 678' x 100 x 3 = 20 TREES	SHRUBS AND GROUNDERCOVER = 50% OF BUFFER 14 TREES, 6 PALMS
FOUNDATION LANDSCAPING SEC. 118-37	60 PERCENT OF FAÇADE, 3' WIDTH	880 LF x 0.6 x 3 = 1,584 SF	1,754 SF

[illegible]



August 16, 2018

Mr. John E. Kruse, AICP
Senior Planner
Development Services Dept.
685 W. Montrose St.
Clermont, FL 34711

RE: Citrus Tower Charter School, Traffic Impact Analysis (TIA) Review

Mr. Kruse,

The Lake~Sumter MPO (LSMPO) has reviewed the document submitted for Citrus Tower Charter School, Traffic Impact Analysis (TIA) dated July, 2018. The Lake~Sumter MPO offers the following Observations and Comments:

Observations Regarding the Project:

1. The site is located on the northwest quadrant of the intersection of Steves Road and Citrus Tower Blvd., approximately 0.75 miles east of US 27, in the City of Clermont, in central south Lake County, Florida.
2. The project is a 700 student charter school.
3. Access to the property is proposed to be via two access points as follows:
 - One access on Steves Road on the south side of the property. This will be the main access to the project.
 - One access onto Citrus Tower Boulevard on the east side of the property will be a gated access for emergency use only.
4. The proposed buildout date is 2019.
5. The proposed land use, Charter Elementary School (ITE LU 537), will generate approximately 1,295 daily trips, 784 AM Peak Hour Trips, and 98 PM Peak Hour Trips. These calculations were done using the ITE 10th Edition rates.
6. No information was provided regarding possible after-school care.
7. A PM peak hour as well as an AM Peak Hour analysis was conducted as requested.
8. Certain roadway segments and intersections were added to the study as requested.
9. The project distribution was determined using FSUTMS and the CFRPM (6.0) and then a hand adjustment was done using engineering judgement. The adjustments made are acceptable.
10. There have been several concerned parents who have contacted the LSMPO regarding the traffic conditions in this area that are related to the existing schools just east and west of this proposed project (East Ridge Middle School, East Ridge High School, and Real Life Christian Academy) and two other schools within less than one mile, for a total of five (5) schools in the area.

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11. A historical growth rate of 3.34% is proposed based on BEBR Population Studies.
12. A turn lane analysis is proposed. Note that there is only a 250' distance in the westbound direction on Steves Road from the site entrance/exit to Citrus Tower Boulevard.

Comments Regarding the Traffic Impacts Study Methodology:

- 1) It was not mentioned in the document as to whether or not after school care for students was anticipated. Please indicate if after school student care will be provided.
- 2) The Methodology review comments submitted by the Lake~Sumter MPO requested a comparison of the traffic count growth rates to the 3.34% derived from the BEBR Population Studies so that the growth rate could be checked. This was not done. Additionally, the TIA states that the 3.34% growth rate was approved in the Methodology. This is not correct. Please provide the requested information so an approved growth rate can be determined.
- 3) Analysis shows that currently the intersection of Citrus Tower Boulevard at SR 50 will operate at Level of Service (LOS) 'E' and will continue to do so due to there being no roadway improvements planned for the study area. Also, the intersection of Citrus Tower Boulevard at US 27 will operate at Level of Service (LOS) 'E' in the future background condition. Mitigation to bring these intersections to an acceptable LOS are as follows:
 - a) Citrus Tower Boulevard at SR 50
 - add a northbound right-turn lane on Citrus Tower Boulevard.
 - change the signal timing to have a permissive/overlap phasing for the northbound right-turn lane on Citrus Tower Boulevard.
 - Citrus Tower Boulevard at US 27
 - change the signal timing to have a permissive/overlap phasing for the northbound right-turn lane on US 27.

These improvements would need to be included as conditions needed to be done by the applicant in a development order.

- 4) The 'Stacking Analysis' is assuming that 25% of vehicles will arrive onsite and occupy available storage before drop-off. This will be closely looked at since there are currently queuing problems with the adjacent schools. The 25% may be too low since the drop off time is typically shorter than the peak hour.
- 5) In addition to the mitigation needed due to intersection deficiencies for the future conditions in the AM Peak Hour as listed in Comment #3, the following intersection deficiencies were also found in the analysis (even though the overall intersection LOS is acceptable):
 - a) Citrus Tower Boulevard at SR 50:
 - i) EB Left-turn (LOS 'F').*
 - ii) WB Left-turn (LOS 'F').
 - iii) NB Left-turn (LOS 'F').
 - iv) NB Through (LOS 'E').
 - v) NB Right-turn (LOS 'F')
 - vi) SB Left-turn (LOS 'F').*

* these deficiencies are not attributable to the project.
 - b) US 27 at Steves Road:
 - i) EB Left-turn (LOS 'E').*
 - ii) EB Right-turn (LOS 'E').*
 - iii) WB Left-turn (LOS 'E').
 - iv) WB Through (LOS 'E').
 - v) WB Right-turn (LOS 'E').
 - vi) NB Left-turn (LOS 'E').*
 - vii) SB Left-turn (LOS 'E').

* these deficiencies are not attributable to the project.

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- c) US 27 at Johns Lake Road:
 - i) EB Right-turn (LOS 'E').*
 - ii) WB Through (LOS 'E')
 - iii) WB Right-turn (LOS 'E').
 - iv) NB Left-turn (LOS 'E').*
 - v) SB Left-turn (LOS 'E').
- d) US 27 at Citrus Tower Boulevard:
 - i) EB Left-turn (LOS 'E').*
 - ii) EB Through (LOS 'E')
 - iii) WB Left-turn (LOS 'E').
 - iv) NB Left-turn (LOS 'E').*
 - v) SB Left-turn (LOS 'F').

* these deficiencies are not attributable to the project.

The City of Clermont will need to determine the projects needed to bring these deficiencies to acceptable LOS.

- 6) Please note the recommended multimodal accommodations below, particularly #2 and #3.

Recommended Multimodal Accommodations:

1. Please consider a safe, secure and convenient system for pedestrians and bicyclists which provide direct non-motorized access, linkages, and through-cuts between common origins and destinations.
2. Maintain the provision of continuous pedestrian facilities along all major streets and upgrade if needed. These pedestrian facilities should be direct and interconnect with all other modes of transportation within the project and onto adjacent properties.
3. Require the developer to provide ramps and curb cuts throughout the pedestrian system for physically challenged persons.

Should you have any questions please contact me by email at or by phone at (352)315-0170 ext. 3.

Thank You,

Brian R. Hutt, AICP

Brian R. Hutt, AICP
Lake~Sumter MPO
TMS Project Manager



August 21, 2018

Mr. John Kruse, AICP
Senior Planner
Development Services Department
685 W. Montrose Street
Clermont, Florida, 34711

**RE: *Citrus Tower Charter School TIA; Clermont, Florida
Response to LSMPO Comments Letter dated 8/16/2018
Kimley-Horn Number 149676007***

Dear Mr. Kruse:

Kimley-Horn and Associates, Inc. has received the following comments dated August 16, 2018 from the LSMPO for the above referenced project. Below are the comments and associated responses:

Traffic Impacts Study Methodology

1. It was not mentioned in the document as to whether or not after school care for students was anticipated. Please indicate if after school student care will be provided.

Response: The school will offer an afterschool program until 6 pm for working parents.

2. The Methodology review comments submitted by the Lake~Sumter MPO requested a comparison to the traffic count growth rates to the 3.34% derived from the BEBR Population Studies so that the growth rate could be checked. This was not done. Additionally, the TIA states that the 3.34% growth was approved in the Methodology. This is not correct. Please provide the requested information so an approved growth rate can be determined.

Response: Average annual growth rates are available for review on the 2017 Lake County Annual Traffic Count Report. The nearest Lake County Count Station (Station Number 197) to the proposed charter school on Citrus Tower Boulevard has a 5-year annual average growth rate percentage of 2.52%. On adjacent roadways (Citrus Tower Blvd and Steves Road) the 5-year annual average growth rate is shown to be between 2.5% to 6%. As the Lost Lake Development of Regional Impact (DRI) nears buildout, historical traffic count growth at the higher end of the annual growth range are expected to stabilize to a more traditional population growth rate of around 1% to 3%. However, to be conservative, a 3.34% annual background growth rate was used from the Lake County high population projection published in the latest BEBR Florida Population Studies. The rate was applied to get a one-year growth estimate. The conclusions of the traffic report, as they relate to the operational assessment of project school traffic, will not be affected by further evaluation of the background traffic growth over a single year.

3. Analysis shows that currently the intersection of Citrus Tower Boulevard at SR 50 will operate at Level of Service (LOS) "E" and will continue to do so due to there being no roadway improvements planned for the study area. Also, the intersection of Citrus Tower Boulevard at

US 27 will operate at Level of Service (LOS) "E" in the future background condition. Mitigation to bring these intersections to an acceptable LOS are as follows:

- a. Citrus Tower Boulevard at SR 50
 - i. Add a northbound right-turn lane on Citrus Tower Boulevard
 - ii. Change the signal timing to have a permissive/overlap phasing for the northbound right-turn lane on Citrus Tower Boulevard
- b. Citrus Tower Boulevard at US 27
 - i. Change signal timing to have a permissive/overlap phasing for the northbound right-turn lane on US 27

These improvements would need to be included as conditions needed to be done by the applicant in a development order.

Response: These improvements were identified in the TIA to show potential mitigation for background deficiencies before school buildout traffic is added (to identify proposed impacts from the school). No improvements were identified to mitigate school impacts except for driveway turn lanes and monitoring conditions as enrollment ramps up.

- 4. The "Stacking Analysis" is assuming that 25% of vehicles will arrive onsite and occupy available storage before drop-off. This will be closely looked at since there are currently queuing problems with the adjacent schools. The 25% may be too low since the drop off time is typically shorter than the peak hour.

Response: A monitoring condition has been drafted with the City to address the potential for operational issues at the driveway.

- 5. In addition to the mitigation needed due to intersection deficiencies for the future conditions in the AM Peak Hour as listed in Comment #3, the following intersection deficiencies were also found in the analysis (even though the overall intersection LOS is acceptable)

- a. Citrus Tower at SR 50
 - i. EB Left-turn (LOS "F").*
 - ii. WB Left-turn (LOS "F").
 - iii. NB Left-turn (LOS "F").
 - iv. NB Through (LOS "E").
 - v. NB Right-turn (LOS "F").
 - vi. SB Left-turn (LOS "F").*

* These deficiencies are not attributable to the project
- b. US 27 at Steves Road
 - i. EB Left-turn (LOS "E").*
 - ii. EB Right-turn (LOS "E").*
 - iii. WB Left-turn (LOS "E").
 - iv. WB Through (LOS "E").
 - v. WB Right-turn (LOS "E").
 - vi. NB Left-turn (LOS "E").*
 - vii. SB Left-turn (LOS "E").

* These deficiencies are not attributable to the project
- c. US 27 at Johns Lake Road
 - i. EB Right-turn (LOS "E").*
 - ii. WB Left-turn (LOS "E")

- iii. WB Through (LOS "E").
- iv. NB Left-turn (LOS "E").*
- v. SB Left-turn (LOS "E").

* These deficiencies are not attributable to the project

d. US 27 at Steves Road

- i. EB Left-turn (LOS "E").*
- ii. EB Through (LOS "E").
- iii. WB Left-turn (LOS "E").
- iv. NB Left-turn (LOS "E").*
- v. SB Left-turn (LOS "F").

* These deficiencies are not attributable to the project

The City of Clermont will need to determine the projects needed to bring these deficiencies to acceptable LOS.

Response: The noted movements all operate with the noted LOS during 2019 future background conditions, and therefore are not attributable to the project. The improvements stated within comment #3 are sufficient to allow for acceptable overall LOS for the intersections of SR 50 & Citrus Tower Boulevard and US 27 & Citrus Tower Boulevard. No improvements were identified to mitigate school impacts except for driveway turn lanes and monitoring conditions as enrollment ramps up.

6. Please note the recommended multimodal accommodations below, particularly #2 and #3.

Response: Acknowledged. Please refer to the site plan, which addresses multimodal accommodations.

We trust these responses, along with the attachments listed below, will provide the additional information as requested. Please feel free to contact our office if you have any questions.

Sincerely,
KIMLEY-HORN



James M. Taylor, PE

JMT/ARM

Attachments: 2017 Lake County Annual Traffic Count Report

Cc: Brian Hutt – Lake-Sumter MPO, AICP, Project Manager

K:\ORL_Civil\149676007-Citrus Tower Charter School\TPTO\03_Documentation\03_Comment Responses\LSMPO Comments_Citrus Tower Charter School TIA_08.16.2018_KH Responses_08.20.2018.docx



June 4, 2018

Mr. John E. Kruse, AICP
Senior Planner
Development Services Dept.
685 W. Montrose St.
Clermont, FL 34711

**RE: Citrus Tower Charter School, Traffic Impact Analysis (TIA)
Methodology**

Mr. Kruse,

The Lake~Sumter MPO has reviewed the document submitted for Citrus Tower Charter School, Traffic Impact Analysis (TIA) Methodology dated May 29, 2018. The Lake~Sumter MPO offers the following Observations and Comments:

Observations Regarding the Project:

1. The site is located on the northwest quadrant of the intersection of Steves Road and Citrus Tower Blvd., approximately 0.75 miles east of US 27, in the City of Clermont, in central south Lake County, Florida.
2. The project is a 700 student charter school.
3. Access to the property is proposed to be via one (1) access point on Steves Road on the south side of the property.
4. The proposed buildout date is 2019.
5. The proposed land use, Charter Elementary School (ITE LU 537), will generate approximately 1,295 daily trips, 748 AM Peak Hour Trips, and 98 PM Peak Hour Trips. These calculations were done using the ITE 10th Edition rates. Confirmation of these calculations are forthcoming.
6. No information was provided regarding possible after-school care.
7. Only the AM Peak Hour was proposed for analysis.
8. The project distribution was determined using FSUTMS and the CFRPM (6.0) and then a hand adjustment was done using engineering judgement. The adjustments made are acceptable.
9. The study area radius derived from the proposed roadway segment and intersections for study calculates to be about 1.5 miles from the site.
10. There have been several concerned parents who have contacted the LSMPO regarding the traffic conditions in this area that are related to the existing schools just east of this proposed project.
11. A historical growth rate of 3.34% is proposed based on BEBR Population Studies.
12. A turn lane analysis is proposed. Note that there is only a 250' distance in the westbound direction on Steves Road from the site entrance/exit to Citrus Tower Boulevard.

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Phone (352) 315-0170**

Comments Regarding the Traffic Impacts Study Methodology:

1. Please note that the study area, roadway segments and intersections included for study are at the discretion of the local jurisdiction and can be expanded at their request.
2. It was not mentioned in the document as to whether or not after school care for students was anticipated. Please indicate if after school student care will be provided.
3. As a follow-up to the comment #2 above, there are two other schools in the immediate area (East Ridge Middle School and East Ridge High School). Whether or not there will be after school student care, a PM Peak Hour analysis should be considered along with the AM Peak Hour analysis.
4. As mentioned in Observation #10 above there is local concern regarding the traffic conditions in this area. This situation will be a consideration during the review process. Therefore it is requested that traffic counts should be conducted when school is in session in September 2018 in order to get an accurate idea of the impacts.
5. The following roadway segments should be added to the list for analysis:
 - US 27 from SR 50 to Hartwood Marsh Road.
 - Grand Hwy. from SR 50 to Hooks Street.
 - Hooks Street from US 27 to Hancock Road.
 - Excalibur Road from Citrus Tower Boulevard.
6. The following intersections should be added to the list for analysis:
 - Citrus Tower Boulevard at US 27.
 - Citrus Tower Boulevard at Hooks Street.
 - Hooks Street at Grand Hwy.
 - Hooks Street at Excalibur Road.
 - Hooks Street at Hancock Road.
7. The 2018 Lake County annual traffic counts will be available in early July 2018. Please use these most recent counts in the analysis.
8. The trip generation calculations, including the pass-by trip percentage, are acceptable. Please provide an in depth Table that shows the land use code, land use units, trip generation rates, AM and PM trip generation total trips as well as the in and out trips.
9. Please provide a comparison of the traffic count growth rates to the 3.34% derived from the BEBR Population Studies.
10. The 'Stacking Analysis' is assuming that 25% of vehicles will arrive onsite and occupy available storage before drop-off. This will be closely looked at since there are currently queuing problems with the adjacent schools. The 25% may be too low since the drop off time is typically shorter than the peak hour.
11. Please note the recommended multimodal accommodations below, particularly #2 and #3.

Recommended Multimodal Accommodations:

1. Please consider a safe, secure and convenient system for pedestrians and bicyclists which provide direct non-motorized access, linkages, and through-cuts between common origins and destinations.
2. Maintain the provision of continuous pedestrian facilities along all major streets and upgrade if needed. These pedestrian facilities should be direct and interconnect with all other modes of transportation within the project and onto adjacent properties.
3. Require the developer to provide ramps and curb cuts throughout the pedestrian system for physically challenged persons.

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225 W. Guava St. Suite 211, Lady Lake, Florida 32159
Phone (352) 315-0170

Should you have any questions please contact me by email at or by phone at (352)315-0170 ext. 3.

Thank You,

Brian R. Hutt

Brian R. Hutt
Lake~Sumter MPO
TMS Project Manager

"Promoting Regional Transportation Partnerships"

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225 W. Guava St. Suite 211, Lady Lake, Florida 32159
Phone (352) 315-0170



August 7, 2018

Mr. John Kruse, AICP
Senior Planner
Development Services Department
685 W. Montrose Street
Clermont, Florida, 34711

**RE: *Citrus Tower Charter School TIA; Clermont, Florida
Response to Comments Letter
Kimley-Horn Number 149676007***

Dear Mr. Kruse:

Kimley-Horn and Associates, Inc. received comments dated August 16, 2018, for the above referenced project. Below are the comments and associated responses:

LSMPO Concerns Documented in the Current Staff Report

1. Existing schools and citizen concerns:

1. *Response: The Applicant can only manage the impacts from the proposed school. However, as a charter school, the project is flexible to adjusting hours of operation, drop-off/pick-up times, directing outbound traffic patterns, etc. to reduce traffic impacts during the peak times of adjacent street. As described in the staff report, the charter school will ramp up enrollment slowly, and therefore will have opportunities to monitor and adjust school operations to reduce project impacts. The Applicant worked with the City to craft a monitoring condition to do just that. It reads: "The owner shall submit an annual report to the City of Clermont, no later than February 15 of each year, on the monitoring of the intersection of Steves Road at Citrus Tower Boulevard. The results of the monitoring will be to see if the eastbound left turn causes the Level of Service (LOS) of the intersection to deteriorate below acceptable standards. If it is determined additional traffic improvements are warranted, the developer will make adjustments in school operations to reduce eastbound left turns at the intersection to an acceptable LOS during peak hours or assist in the improvements through their proportional share. This annual report shall conclude five years after the school is in operation or upon reaching full enrollment, whichever comes last." We would ask that the City consider the monitoring condition, along with the turn lanes being proposed at the access point, as a way the Applicant is addressing its traffic impacts.*

2. Onsite stacking distance may be too low:

Response: This concern was expressed upon the MPO's review of the TIA Methodology Statement (June 2018). On July 12, 2018 (email attached) the TIA was submitted to the City (MPO was copied) which included a stacking analysis. The analysis concluded that the stacking distance provided in the conceptual plan was adequate to prevent spillover of traffic into Steves Road during the peak hour of operation. We confirmed with MPO staff that the TIA has not yet been reviewed by the MPO. We would ask that the analysis,

and the monitoring condition put in place to address any spillover with operational changes or improvements, be considered for the next staff report.

3. Traffic counts should be conducted when school is in session:

Response: This concern was expressed upon the MPO's review of the TIA Methodology Statement (June 2018). Since then, we have submitted the TIA (July 2018) which utilized traffic counts that were conducted in May 2018 while school was in session. We would ask that the analysis, and the monitoring condition put in place to address any spillover with operational changes or improvements, be considered for the next staff report.

City Staff Concerns Documented in the Current Staff Report

4. Traffic from the charter school/severe impacts:

Response: The TIA, submitted on July 12, 2018 (email attached), concludes that all roadway segments and intersections operate at acceptable LOS in the AM and PM peak hours within the study area with noted exceptions for background deficiencies (with suggested improvements). The TIA also concludes that adequate stacking distance is being provided onsite to avoid spillover into Steves Road. Turn lanes are recommended at the site access on Steves Road and a condition was drafted to ensure the school is monitoring and addressing its traffic impacts while enrollment ramps up to buildout. The conclusions in the staff report appear to be solely based on the MPO's review of the TIA Methodology (June 2018). We would ask that the City consider the TIA and its conclusions and the monitoring condition that the City and the Applicant drafted together to address potential traffic impacts for the next staff report.

5. Distance between the drop-off location and the adjacent residential/noise/light:

Response: Standard operating procedure is to provide the parents of the charter schools with a pick-up window dependent on the grade their child is in. This keeps the traffic more evenly disbursed but also means that there is no "honking" or trying to get ahead in line. The process is very regulated as evidenced by the Youtube video at the following link: <https://youtu.be/3qmlwPvTZ7A>. Note that this is for a school of 1400 students, substantially larger than the proposed school. Regarding light, based on Florida Sunrise and Sunset times for 2018, the only time that a car would have headlights on is was between October 10th and October 31st. A parent arriving for early drop-off starting at 7:00 am would need lights until the latest sunrise of 7:11 am. This is a minimal number of vehicles and is addressed by the addition of an opaque fence that is being placed at the property line between the school and residences, enhanced landscape at the same location, and a hedge along the drive isle.

We trust these responses, along with the attachments listed below, will provide the additional information as requested. Please feel free to contact our office if you have any questions.

Sincerely,
KIMLEY-HORN

A handwritten signature in dark ink, appearing to read "James M. Taylor", is written over a light gray background.

James M. Taylor, PE

JMT/ARM

Cc: Brian Hutt – Lake-Sumter MPO, AICP, Project Manager

K:\OCA_Civil\149676007 - Citrus Tower Charter School\TPTO\03_Documentation\August 2018\Rclbh080718jt.docx

John E. Kruse

From: Gillespie, Matthew <Matthew.Gillespie@kimley-horn.com>
Sent: Tuesday, June 26, 2018 8:55 AM
To: John E. Kruse
Cc: Todd Lucas; Taylor, James
Subject: RE: Citrus Tower Charter School - CUP Official Request

John,

Also to clarify, the school capacity will be for 700 children and not 600 children as originally proposed.

I will be revising the concept plan to show 42,000 SF for the building, the emergency gated access entrance off Citrus Tower, and the school children number revised to 700.

You should have a PDF of the revised concept plan this afternoon.

Thanks,

Matthew Gillespie, P.E. | (FL, AL)

Kimley-Horn | 189 S. Orange Ave, Ste 1000, Orlando, FL 32801

Direct: 407-409-7007 | Mobile: 256-541-6482 | Main: 407-898-1511

Connect with us: [Twitter](#) | [LinkedIn](#) | [Facebook](#) | [Instagram](#) | [Kimley-Horn.com](#)

Celebrating 11 years as one of FORTUNE's 100 Best Companies to Work For

From: John E. Kruse [mailto:jekruse@clermontfl.org]
Sent: Tuesday, June 26, 2018 8:45 AM
To: Gillespie, Matthew <Matthew.Gillespie@kimley-horn.com>
Cc: Todd Lucas <todd.lucas@summitcmgroup.com>; Taylor, James <James.Taylor@kimley-horn.com>
Subject: RE: Citrus Tower Charter School - CUP Official Request

Thank you Matthew. I will make the notes in the file.

John

From: Gillespie, Matthew <Matthew.Gillespie@kimley-horn.com>
Sent: Tuesday, June 26, 2018 8:43 AM
To: John E. Kruse <jekruse@clermontfl.org>
Cc: Todd Lucas <todd.lucas@summitcmgroup.com>; Taylor, James <James.Taylor@kimley-horn.com>
Subject: Citrus Tower Charter School - CUP Official Request

John,

Thank you for speaking with me yesterday.

As discussed, this email serves as the official CUP request to place the proposed Citrus Tower Charter School project on the August 7th Planning & Zoning Board Meeting with the City Council Meeting on August 28th.

The Traffic Impact Study will lag behind a little due to coordination's with Lake County MPO, but it will be submitted to the City no later than July 16th.

The charter school square footage to be officially requested for approval is 42,000 SF. This will allow us some additional room beyond the preliminary footprint (40,000 sf) in case we need it during the construction plans development phase.

Should you have any questions or require anything further, please contact me.

Thanks,

Matthew Gillespie, P.E. | (FL, AL)

Kimley-Horn | 189 S. Orange Ave, Ste 1000, Orlando, FL 32801

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Website: <https://www.clermontfl.gov/>

PLEASE NOTE: Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 04-25-2018

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Renaissance Charter School at Lake County

APPLICANT: Summit Construction Management Group

CONTACT PERSON: Todd Lucas

Address: 421 S. Summerlin Ave.

City: Orlando State: Florida Zip: 32801

Phone: 407-697-9616 Fax: 267-331-4889

E-Mail: todd.lucas@summitcmgroup.com

OWNER: Lost Lake Reserve LC

Address: P.O. Box 3737

City: Lake Wales State: Florida Zip: 33589-3737

Phone: _____ Fax: _____

Address of Subject Property: Citrus Tower Blvd. Clermont, FL. 34711

General Location: Northwest corner of intersection Citrus Tower blvd and Steve's road

Legal Description (include copy of survey): See attached documents

Land Use (City verification required): _____

Zoning (City verification required): _____



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS

Page 2

In addition to the attached application, the applicant shall provide the follow information:

1. Proof of ownership, i.e. tax receipt, deed, or Lake County Property record card.
2. A complete legal description and survey of the subject property.
3. A preliminary site plan clearly depicting the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on type of CUP)
4. One PDF copy of the Site Plan on disk, as directed by City staff. This will depend if the project borders a Lake County right-of-way.
5. Plans for the provision of services and infrastructure, and if required, traffic studies, Transportation Proportionate Fair Share information, or School Concurrency information.
6. Landscape plans in conformance with Chapter 118 of the Code. (see #3 above)
7. Original signature application

APPLICATION FEE: \$845.00, plus the cost of the advertisement

City of Clermont Development Services Department 685 W. Montrose St. P.O. Box 120219 Clermont, FL. 34712-0219 (352) 394-4083 Fax: (352) 394-3542
--



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS**

1. Prior to submitting an application, a meeting with the Development Services Director is required. Call 394-4083 to schedule a meeting.
2. After meeting with the Planning Manager, the applicant shall prepare and submit 6 sets of preliminary site plans for review by the Site Review Committee (SRC) (if required). The preliminary site plan shall clearly depict the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc.
3. After the preliminary site plans are reviewed by the Site Review Committee (SRC), a list of review comments will be forwarded to the applicant. The applicant will then revise the preliminary site plan, addressing the comments from the SRC. The revised plans must be approved by the SRC prior to submitting the CUP application.
4. Upon preliminary site plan approval, the applicant will submit a complete CUP application, including the revised preliminary site plan. The revised preliminary site plan is for purposes of the conditional use permit only, and is not an approved site plan for construction.*
5. Complete CUP applications that are submitted to and accepted by the Development Services Director on or before the 1st of the month will be scheduled for public hearings the following month. Public hearings are scheduled for the 1st and 4th Tuesdays of the following month for the Planning & Zoning Commission and the City Council respectively.
6. Your presence at the Public Hearings is strongly recommended. Staff will present the application, but it is the applicant's responsibility to make a case for their request.

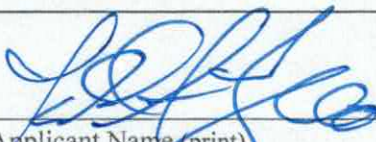
** The site plan submitted with the CUP application is not the final site plan approved for construction. After the CUP is approved by the Council, site plans and the site review application shall be submitted to the Site Review Committee for review and approval, pursuant to Chapter 86 of the City of Clermont's Land Development Regulations. Construction can commence only after the final site plans have been approved and a zoning clearance has been issued.*



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

Construction of a single story K-8 Public Charter School of approximately 40,000 s.f. The existing PUD zoning at this location allows for private church school and we are requesting a zoning modification to allow a public charter school, as this location is already approved for an educational use, we feel that the change to public charter school is compatible with the current zoning


Applicant Name (print)

X TODD LUCAS
Applicant Name (signature)

Owner Name (print)

X _____
Owner Name (signature)

* * * * * **NOTICE** * * * * *

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

Advertising Receipt

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10078798
Phone: (352) 241-7331
Date: 07/17/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	07/31/2018	08/21/2018	\$167.68

LEGAL NOTICE

Ad No: 10078798
July 31, 2018 &
August 21, 2018

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow up to a 45,000 square foot charter school on Parcel I of the Lost Lake Reserve PUD, Resolution 2010-24.

LOCATION

Northwest corner of Citrus Tower
Blvd. and Steves Road
Vacant land (5.04 +/- acres)
Alternate Key 3846870

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, August 7, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, August 28, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Payment Info	
Ad Price	\$167.68
Tax	\$0.00
Sub Total	\$167.68
Prepaid Amount	\$0.00
Balance Due	\$167.68



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, September 4, 2018	
Agenda Item Name	
Resolution No. 2018-33R <i>South Lake Medical Arts CUP</i>	
Requested Action	
Recommend approval of Resolution No. 2018-33R.	
Staff Report	
The applicant, South Lake Medical Arts Center is requesting to amend a Conditional Use Permit (Resolution No 2016-42) to allow an increase to the professional office total square footage. The property is approximately 12+/- acres and is located at the southwest corner of Oakley Seaver and Citrus Tower Blvd. The current zoning is R-3 Residential/Professional District. In 2006, a Conditional Use Permit (Resolution No. 1485) was approved to allow 116,000 square foot office complex with a parking garage. The site is currently developed with professional offices. In 2016, the CUP was amended to allow a 144 multi-family development with a parking garage and a maximum 50,300 square feet of professional office space. The multifamily units are currently under construction. The applicant is requesting another amendment the Conditional Use Permit to increase the professional office space from 50,300 square feet to a maximum 53,000 square feet of professional office use to allow for construction of a 5,000 square foot building for pad O of the master development plan. After development of PAD O, the site will be completely built out.  The current condition of the site as developed has 47,717 square feet of professional office, which leaves approximately 2,583 square feet available for the last vacant building pad (Pad O), before the site maximum of 50,300 square feet is attained. The proposed 5,000 square foot office building will exceed the maximum allowable office space by 2,417 square feet for the overall site. When evaluating a request for a Conditional Use Permit, Section 86-144 of the Land Development Code requires specific development standards be met; Staff has reviewed the CUP application as submitted and finds the proposed use does meet the general criteria and will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity. The site currently has only one building pad that is not developed before a complete build-out of the property. Therefore, Staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2018-33R.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	CUP RES 2018-33R UPDATED 8-2018	CUP RES 2018-33R UPDATED 8-2018.pdf
2.	South Lake Medical Arts-Location Map	South Lake Medical Arts-Location Map.pdf
3.	Development Site Map	Development Site Map.pdf
4.	Zoning Map-South Lake Medical Arts	Zoning Map-South Lake Medical Arts.pdf
5.	CUP Application	CUP Application.pdf
6.	Legal Ad	OAKLEY SEAVER AND CITRUS TOWER CUP.pdf

**CITY OF CLERMONT
RESOLUTION NO. 2018-33R**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT (RESOLUTION 2016-42) TO ALLOW FOR AN INCREASE TO TOTAL SQUARE FOOTAGE FOR THE PROFESSIONAL OFFICE SPACE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held September 4, 2018 recommended approval of this Conditional Use Permit to allow for an increase to the total square footage for the professional office space, at the following location:

LOCATION:

Southwest corner of Oakley Seaver Drive and Citrus Tower Boulevard
AK 3877287

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted Comprehensive Plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location;

1. **WHEREAS**, the applicant has applied for a Conditional Use Permit for an amendment to allow up to a maximum 53,000 square feet of professional office space, and up to 144 multi-family units,

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:

This application for an amendment to a Conditional Use Permit (Resolution 2016-42) to allow up to a maximum 53,000 square feet of professional office space; be granted subject to the following conditions:

Section 1- General Conditions

1. This Resolution shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor in title or interest, and shall be subject to each and every condition herein set out.
2. The property shall be developed in substantial accordance with the Conceptual Site Plan as prepared by the Applicant's Engineer. Construction plans incorporating all conditions of this permit shall be submitted for review and approval by City staff prior to authorization and issuance of a development permit. The conceptual plan submitted with the Conditional Use Permit application is not an approved site plan.

CITY OF CLERMONT
RESOLUTION NO. 2018-33R

3. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another Conditional Use Permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.
4. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
5. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
6. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
7. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
8. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
9. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
10. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
11. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
12. This permit shall become null and void if substantial work has not begun within two (2) years of the date of issuance of this Conditional Use Permit.

CITY OF CLERMONT
RESOLUTION NO. 2018-33R

Section 2 - Land Use

2. The proposed development may contain up to 53,000 square feet of professional office space, and up to 144 multi-family units
3. The allowable uses shall be those uses indicated within the Residential/Office zoning district of the City of Clermont Land Development Regulations.

Section 3 - Transportation Improvements

1. Sidewalks shall be required along all public road frontages in accordance with adopted Florida Department of Transportation and City Codes.
2. Turn lanes shall also be provided based on staff Site Review Committee.
4. Prior to construction and development of the complex, the permittee/developer shall provide a traffic analysis which identifies the development's impact on the City's transportation system.

Section 4 - Excavation and Grading/Operation Plans

1. The applicant shall submit a detailed excavation, grading and erosion control plan for the entire site during the site plan review process which must be approved by the City Site Review Committee prior to initiation of development activity.
2. The permittee/developers shall provide ground cover on all out parcel and disturbed areas, where construction is not immediately intended. Said plan shall be provided in accordance with an approved ground cover plan acceptable to the City in accordance with the Best Management Practices (BMP) of the United States Department of Agriculture Soil Conservation Service.
3. A dust abatement plan shall be submitted to the City detailing measures to be taken in eliminating the migration of dust particles from the site.

Section 5 -Utilities

The applicant shall submit a detailed utility plan for the entire site during the site plan review process which must be approved by the City Site Review Committee prior to initiation of development activity.

CITY OF CLERMONT
RESOLUTION NO. 2018-33R

Section 6 -Site Improvements/Landscaping

Onsite landscaping and perimeter landscaping shall be planted in excess of code, to be determined by staff at Site Review Committee.

Section 7 - Architectural Design Standards

Architectural finish and building plans for the development shall be submitted and approved by the Site Review Committee prior to any development activity to ensure aesthetic and public safety considerations are properly addressed.

The following design standards shall apply to all development on the site and shall apply until such time as citywide architectural design standards are adopted unless otherwise approved by the City of Clermont Site Review Committee.

Facades and Exterior Walls:

1. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.
2. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) feet. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet, except the parking structure.

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. Parapet walls or other design features shall be constructed at a height of at least one (1) inch above the tallest roof top unit. A metal or other enclosure for roof top equipment does not constitute screening from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third of the height of the supporting wall.
2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and Colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.

CITY OF CLERMONT
RESOLUTION NO. 2018-33R

2. Facade colors shall be low reflective, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a one (1) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Entryways:

The main entryway shall feature no less than three (3) of the following:

1. canopies or porticos;
2. overhangs;
3. recesses/projections;
4. arcades;
5. peaked roof forms;
6. arches;
7. architectural details such as tile work and moldings which are integrated into the building structure and design;
8. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

Signage:

Neon tubing shall not be used in building signage. The letters in the signage shall be a primary color.

Lighting:

Light poles shall not be painted in primary colors and they shall be no greater than 25 feet in height.

Miscellaneous:

1. Mobile storage systems; metal shipping containers and trailers, shall be prohibited.
2. Chain link fencing shall be prohibited. Fencing around water retention areas and all other fencing shall be ornamental metal fencing.

CITY OF CLERMONT
RESOLUTION NO. 2018-33R

Section 8 – Site Specific Conditions

1. Applicant shall install a fence of black aluminum along the western and southern divides between the Lofts and the existing South Lake Medical Arts Center (“SLMAC”).
2. The fence will be a minimum of five feet (5') in height and will be landscaped on the Lofts side with bougainvillea plants with no more than five feet (5') space between plants. The Applicant shall be responsible for maintenance of the bougainvillea plants.
3. Applicant will install a temporary windscreen/silt fence to protect the SLMAC property from debris;
4. Applicant will take commercially reasonable actions to limit the noise and waste from construction during regular business hours. Applicant will operate the Lofts as a "first class" or “Class A” facility with rents consistent with similar Class A apartment facilities at all times, and that the Loft building, parking areas and grounds are secured at all times;
5. Applicant will install and maintain operational security cameras outside of the Loft buildings at all times;
6. Applicant will ensure that the Lofts have gated access through Oakley Seaver entrance;
7. Applicant will comply with City waste requirements at all time, with no variances except to provide trash compactors. If trash compactors are approved by the City as a variance, the trash compactors must be functional at all times;
8. Applicant will maintain the Lofts in good condition with no dead landscaping, chipped or peeling paint, or broken windows;
9. Applicant will not permit Loft residents to leave furniture or other large waste outside of the building for more than one (1) day;
10. The decorative fire gate will be present and functional at all times. Loft residents will not have a clicker or other access through the fire gate.
11. On or before the expiration of sixty (60) days after the issuance of the final certificate of occupancy or equivalent final permit for the multi-family residential project, the applicant shall reseal and restripe the existing parking and drive areas in SLMAC. The resealing and restriping of the parking and drive areas shall be in accordance with professional standards as required to maintain the appearance and functionality of the parking and drive areas based on the age and condition of the parking and drive areas.

CITY OF CLERMONT
RESOLUTION NO. 2018-33R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of September, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

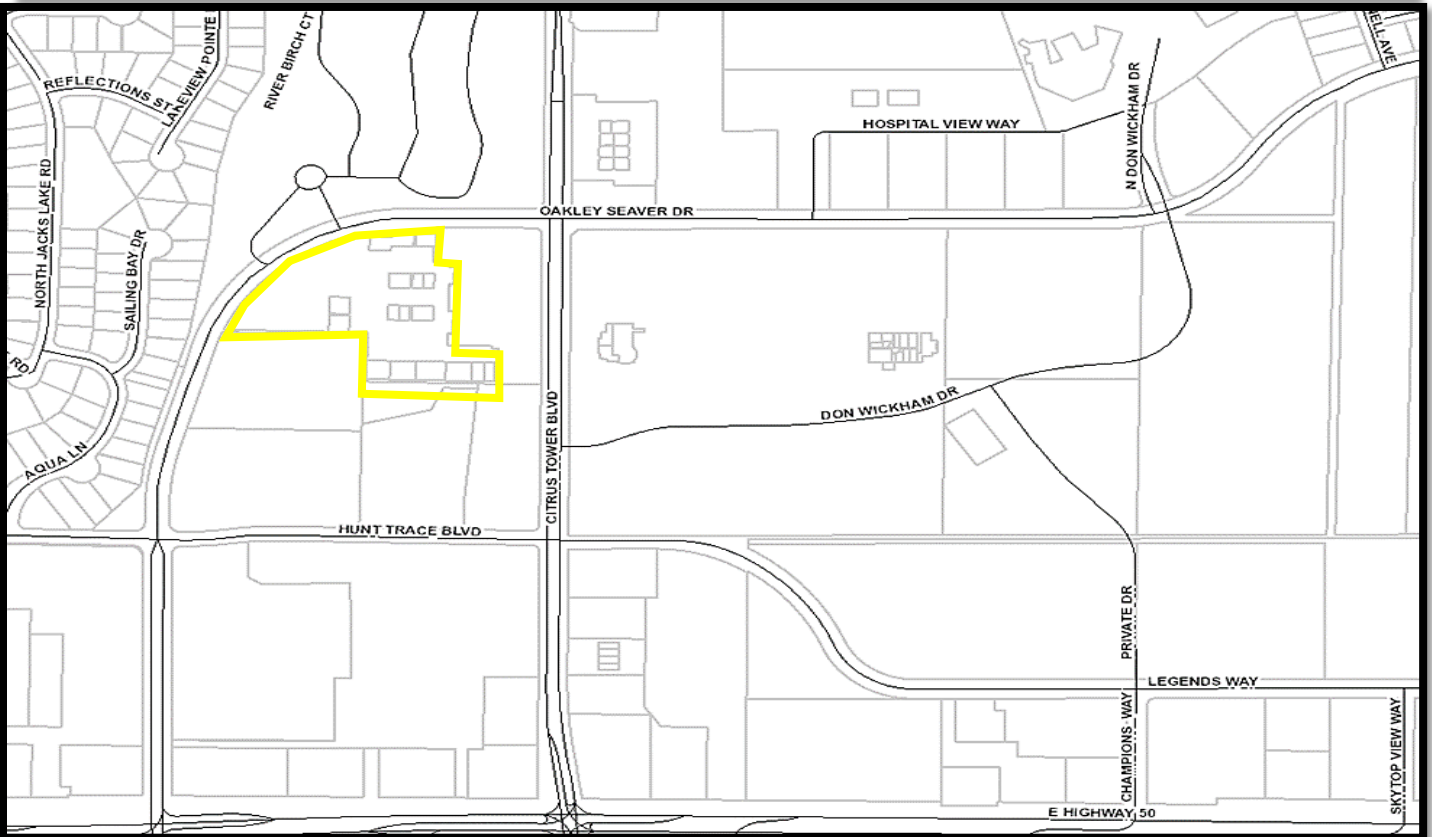
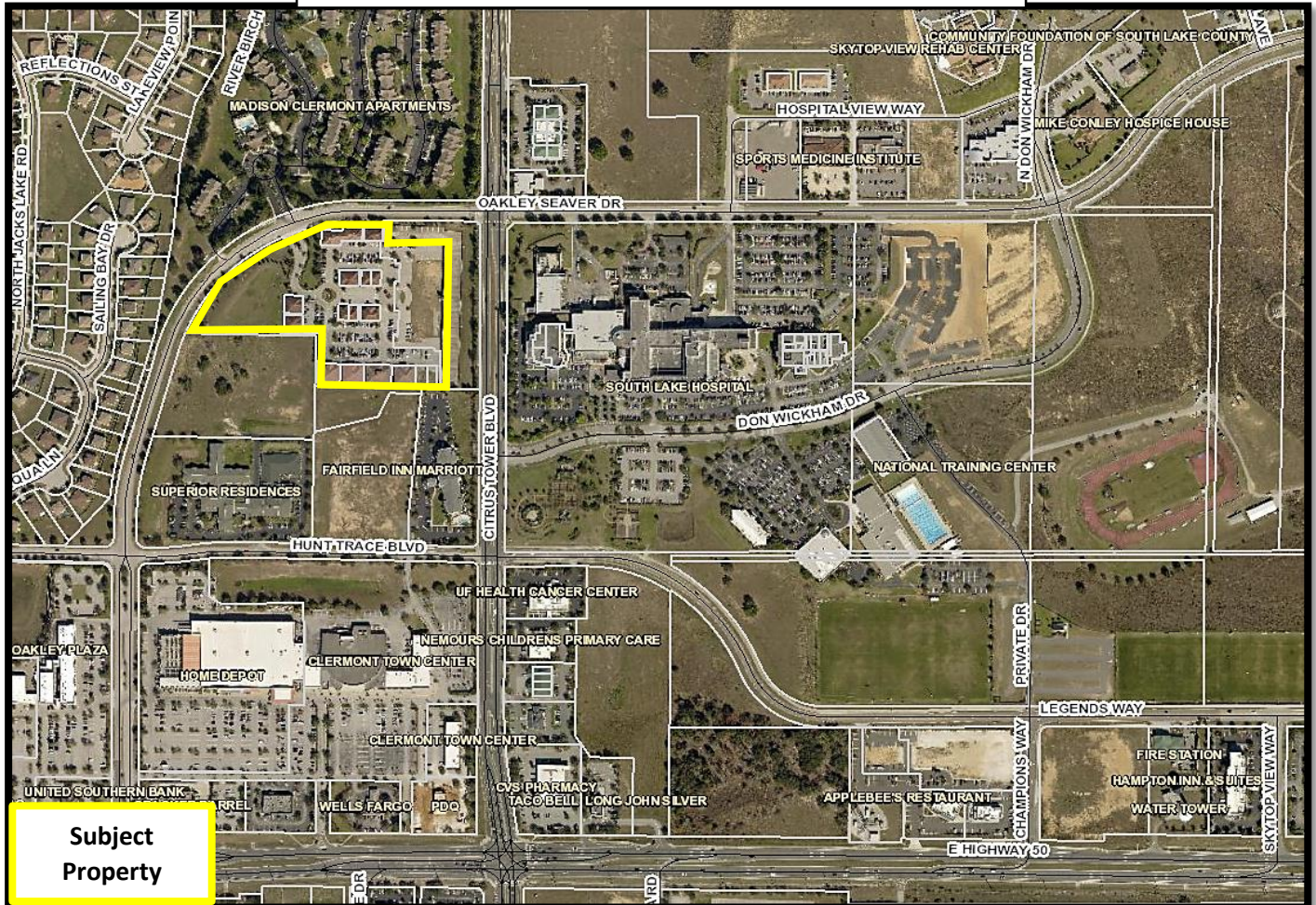
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

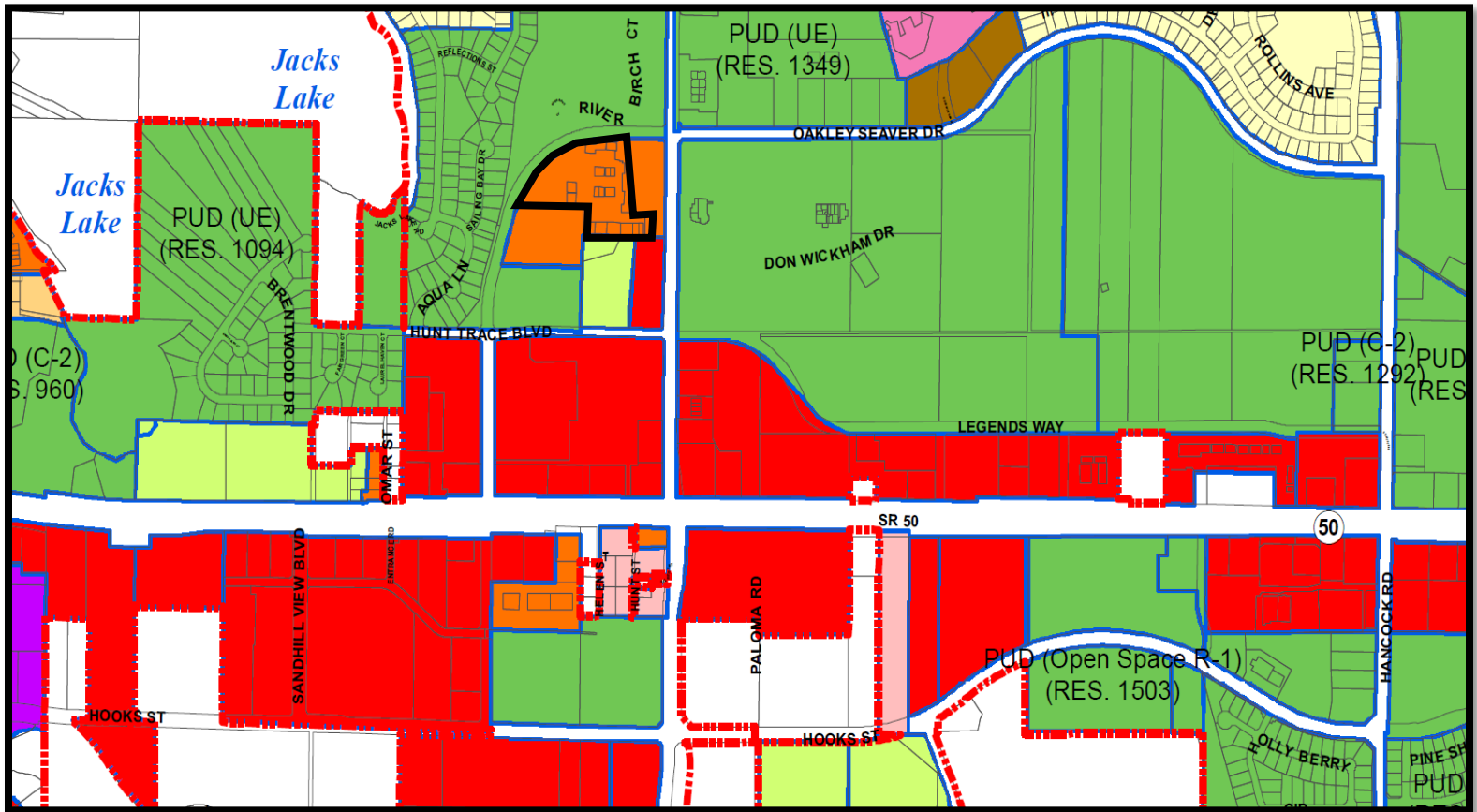
Daniel F. Mantzaris, City Attorney

South Lake Medical Arts-Location Map



This architectural site plan illustrates a large-scale residential development. The central feature is a 'Multi-Story Apartment Building' with a complex footprint divided into several wings and units, each labeled with a number (e.g., 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20). To the left of the main building is a '2-Story Parking Garage' with designated spaces for 55 U, 42 L, 59 U, and 59 L vehicles. Adjacent to the parking garage is an 'Outdoor Amusement, Grotto, etc.' area. To the right of the main building is a 'Pool' and a 'F-G' area. Further right is a 'Ramp' and a '10' area. The plan also shows a '1-2' area, a '1-3' area, and a '1-4' area. A '1-5' area is located near the bottom right. The plan includes a '1-6' area, a '1-7' area, a '1-8' area, a '1-9' area, and a '1-10' area. A '1-11' area is located near the bottom left. A '1-12' area is located near the bottom center. A '1-13' area is located near the bottom right. A '1-14' area is located near the bottom left. A '1-15' area is located near the bottom center. A '1-16' area is located near the bottom right. A '1-17' area is located near the bottom left. A '1-18' area is located near the bottom center. A '1-19' area is located near the bottom right. A '1-20' area is located near the bottom left. The plan also shows a '1-21' area, a '1-22' area, a '1-23' area, a '1-24' area, a '1-25' area, a '1-26' area, a '1-27' area, a '1-28' area, a '1-29' area, and a '1-30' area. The plan includes a '1-31' area, a '1-32' area, a '1-33' area, a '1-34' area, a '1-35' area, a '1-36' area, a '1-37' area, a '1-38' area, a '1-39' area, and a '1-40' area. The plan also shows a '1-41' area, a '1-42' area, a '1-43' area, a '1-44' area, a '1-45' area, a '1-46' area, a '1-47' area, a '1-48' area, a '1-49' area, and a '1-50' area. The plan includes a '1-51' area, a '1-52' area, a '1-53' area, a '1-54' area, a '1-55' area, a '1-56' area, a '1-57' area, a '1-58' area, a '1-59' area, and a '1-60' area. The plan also shows a '1-61' area, a '1-62' area, a '1-63' area, a '1-64' area, a '1-65' area, a '1-66' area, a '1-67' area, a '1-68' area, a '1-69' area, and a '1-70' area. The plan includes a '1-71' area, a '1-72' area, a '1-73' area, a '1-74' area, a '1-75' area, a '1-76' area, a '1-77' area, a '1-78' area, a '1-79' area, and a '1-80' area. The plan also shows a '1-81' area, a '1-82' area, a '1-83' area, a '1-84' area, a '1-85' area, a '1-86' area, a '1-87' area, a '1-88' area, a '1-89' area, and a '1-90' area. The plan includes a '1-91' area, a '1-92' area, a '1-93' area, a '1-94' area, a '1-95' area, a '1-96' area, a '1-97' area, a '1-98' area, a '1-99' area, and a '1-100' area. The plan also shows a '1-101' area, a '1-102' area, a '1-103' area, a '1-104' area, a '1-105' area, a '1-106' area, a '1-107' area, a '1-108' area, a '1-109' area, and a '1-110' area. The plan includes a '1-111' area, a '1-112' area, a '1-113' area, a '1-114' area, a '1-115' area, a '1-116' area, a '1-117' area, a '1-118' area, a '1-119' area, and a '1-120' area. The plan also shows a '1-121' area, a '1-122' area, a '1-123' area, a '1-124' area, a '1-125' area, a '1-126' area, a '1-127' area, a '1-128' area, a '1-129' area, and a '1-130' area. The plan includes a '1-131' area, a '1-132' area, a '1-133' area, a '1-134' area, a '1-135' area, a '1-136' area, a '1-137' area, a '1-138' area, a '1-139' area, and a '1-140' area. The plan also shows a '1-141' area, a '1-142' area, a '1-143' area, a '1-144' area, a '1-145' area, a '1-146' area, a '1-147' area, a '1-148' area, a '1-149' area, and a '1-150' area. The plan includes a '1-151' area, a '1-152' area, a '1-153' area, a '1-154' area, a '1-155' area, a '1-156' area, a '1-157' area, a '1-158' area, a '1-159' area, and a '1-160' area. The plan also shows a '1-161' area, a '1-162' area, a '1-163' area, a '1-164' area, a '1-165' area, a '1-166' area, a '1-167' area, a '1-168' area, a '1-169' area, and a '1-170' area. The plan includes a '1-171' area, a '1-172' area, a '1-173' area, a '1-174' area, a '1-175' area, a '1-176' area, a '1-177' area, a '1-178' area, a '1-179' area, and a '1-180' area. The plan also shows a '1-181' area, a '1-182' area, a '1-183' area, a '1-184' area, a '1-185' area, a '1-186' area, a '1-187' area, a '1-188' area, a '1-189' area, and a '1-190' area. The plan includes a '1-191' area, a '1-192' area, a '1-193' area, a '1-194' area, a '1-195' area, a '1-196' area, a '1-197' area, a '1-198' area, a '1-199' area, and a '1-200' area. The plan also shows a '1-201' area, a '1-202' area, a '1-203' area, a '1-204' area, a '1-205' area, a '1-206' area, a '1-207' area, a '1-208' area, a '1-209' area, and a '1-210' area. The plan includes a '1-211' area, a '1-212' area, a '1-213' area, a '1-214' area, a '1-215' area, a '1-216' area, a '1-217' area, a '1-218' area, a '1-219' area, and a '1-220' area. The plan also shows a '1-221' area, a '1-222' area, a '1-223' area, a '1-224' area, a '1-225' area, a '1-226' area, a '1-227' area, a '1-228' area, a '1-229' area, and a '1-230' area. The plan includes a '1-231' area, a '1-232' area, a '1-233' area, a '1-234' area, a '1-235' area, a '1-236' area, a '1-237' area, a '1-238' area, a '1-239' area, and a '1-240' area. The plan also shows a '1-241' area, a '1-242' area, a '1-243' area, a '1-244' area, a '1-245' area, a '1-246' area, a '1-247' area, a '1-248' area, a '1-249' area, and a '1-250' area. The plan includes a '1-251' area, a '1-252' area, a '1-253' area, a '1-254' area, a '1-255' area, a '1-256' area, a '1-257' area, a '1-258' area, a '1-259' area, and a '1-260' area. The plan also shows a '1-261' area, a '1-262' area, a '1-263' area, a '1-264' area, a '1-265' area, a '1-266' area, a '1-267' area, a '1-268' area, a '1-269' area, and a '1-270' area. The plan includes a '1-271' area, a '1-272' area, a '1-273' area, a '1-274' area, a '1-275' area, a '1-276' area, a '1-277' area, a '1-278' area, a '1-279' area, and a '1-280' area. The plan also shows a '1-281' area, a '1-282' area, a '1-283' area, a '1-284' area, a '1-285' area, a '1-286' area, a '1-287' area, a '1-288' area, a '1-289' area, and a '1-290' area. The plan includes a '1-291' area, a '1-292' area, a '1-293' area, a '1-294' area, a '1-295' area, a '1-296' area, a '1-297' area, a '1-298' area, a '1-299' area, and a '1-300' area. The plan also shows a '1-301' area, a '1-302' area, a '1-303' area, a '1-304' area, a '1-305' area, a '1-306' area, a '1-307' area, a '1-308' area, a '1-309' area, and a '1-310' area. The plan includes a '1-311' area, a '1-312' area, a '1-313' area, a '1-314' area, a '1-315' area, a '1-316' area, a '1-317' area, a '1-318' area, a '1-319' area, and a '1-320' area. The plan also shows a '1-321' area, a '1-322' area, a '1-323' area, a '1-324' area, a '1-325' area, a '1-326' area, a '1-327' area, a '1-328' area, a '1-329' area, and a '1-330' area. The plan includes a '1-331' area, a '1-332' area, a '1-333' area, a '1-334' area, a '1-335' area, a '1-336' area, a '1-337' area, a '1-338' area, a '1-339' area, and a '1-340' area. The plan also shows a '1-341' area, a '1-342' area, a '1-343' area, a '1-344' area, a '1-345' area, a '1-346' area, a '1-347' area, a '1-348' area, a '1-349' area, and a '1-350' area. 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South Lake Medical Arts - Zoning Map



Legend

City Limits

Zoning Designations

- UT URBAN TRANSITION DISTRICT
- UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
- R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
- R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-3-A RESIDENTIAL PROFESSIONAL DISTRICT
- R-3 RESIDENTIAL PROFESSIONAL DISTRICT
- O-1 OFFICE DISTRICT
- O-1 LIGHT COMMERCIAL DISTRICT
- O-2 GENERAL COMMERCIAL DISTRICT
- CBD CENTRAL BUSINESS DISTRICT
- M-1 INDUSTRIAL DISTRICT
- CD COMMERCE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- AREAS NOT WITHIN THE CITY LIMITS



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: July 18, 2018

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): South Lake Medical Arts -Pad O

APPLICANT: Jimmy Crawford, Esq.

CONTACT PERSON: Jimmy Crawford

Address: 1201 W. Highway 50, Suite A

City: Clermont State: Florida Zip: 34711

Phone: 352-394-7408 Fax: _____

E-Mail: jcrawford@lncmlaw.com

OWNER: Belgian Capital Fund, LLC

Address: 1132 Kane Concourse, Suite 200

City: Bay Harbor Islands State: Florida Zip: 33154

Phone: _____ Fax: _____

Address of Subject Property: Southwest corner of Oakley Seaver Drive and Citrus Tower Blvd.

General Location: Southwest corner of Oakley Seaver Drive and Citrus Tower Blvd.

AK # 3877287

Legal Description (include copy of survey): See attached

Land Use (City verification required): Residential/Office

Zoning (City verification required): R-3 Residential Professional with a CUP.

**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION**

Page 2

Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

The applicant would like to finish development of the center. The contract purchaser would like to construct a 5,000 square foot building, consistent with the surrounding offices, and in order to do so, the overall development area allowed in the CUP will need to be increased from 50,300 square feet to 53,000 square feet. The PUD plan and parking calculations have been revised to include the additional square footage.

The issue has arisen because several, if not most, of the buildings already constructed (Pad O is the last unbuilt pad) were built slightly larger than the allowed size -- probably because outside dimensions were used for measurements instead of interior space. This has resulted in, by the City's calculation, there being 47,717 feet of space built already, leaving Pad O only 2583 feet to reach the maximum square footage for the center of 50,300. Therefore, to allow Pad O to build its allowed 5000 sf, just as the other pads were allowed, the center needs to increase its allowed footage to 53000

Jimmy D. Crawford, Esq.

Applicant Name (print)

X _____
Applicant Name (signature)

Jan Hendrickx, as Manager of Belgian Capital Fund, LLC X

Owner Name (print)

Owner Name (signature)

***** NOTICE *****

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL 34712-0219
(352) 394-4083 Fax: (352) 394-3542

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10079969
Phone: (352) 241-7331
Date: 08/23/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a r	08/28/2018	09/18/2018	\$170.60

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for amendment to a Conditional Use Permit (Resolution No. 2016-42) to allow for an increase to the professional office total square footage, at the following location:

Ad No: 10079969
August 28, 2018 &
September 18, 2018

LOCATION

Southwest corner of Oakley Seaver
Drive and Citrus Tower Boulevard
(AK 3877287)

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, September 4, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, September 25, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

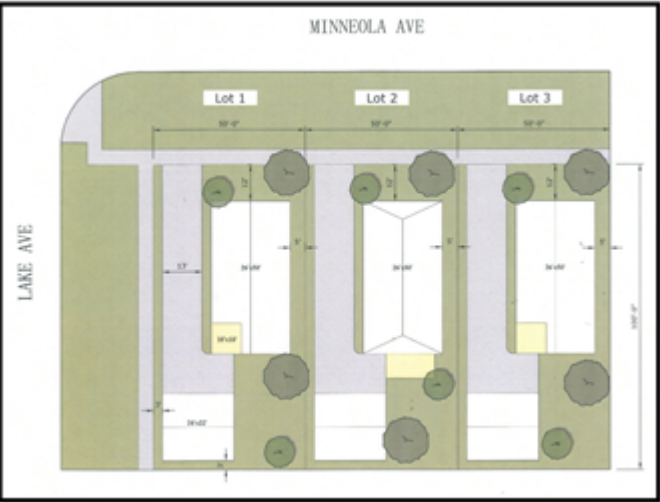
Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Payment Info	
Ad Price	\$170.60
Tax	\$0.00
Sub Total	\$170.60
Prepaid Amount	\$0.00
Balance Due	\$170.60



AGENDA ITEM

Meeting Date	
Tuesday, September 4, 2018	
Agenda Item Name	
Ordinance 2018-31 607 Lake Ave PUD Rezoning	
Requested Action	
Recommend approval of Ordinance 2018-31.	
Staff Report	
The applicant, OMBS LLC, is seeking a rezoning from R-3 Residential/Professional District to Planned Unit Development (PUD) on property that is approximately 0.345 +/- acres in size. This zoning would coincide with the Downtown Mixed Use future land change that is also being requested by the applicant. The property had a residential structure that was removed in the past few years and the site will be redeveloped. The applicant originally sought a rezoning to the Central Business District (CBD). However, with some concerns over the allowable permitted uses in the CBD, the applicant requested a PUD to provide assurance of only single-family residential use would occur on the property. The applicant desires to have three 50 by 100 foot lots for single-family use. The applicant has provided a conceptual site plan showing the lots and the footprint of the proposed structures on each lot.  The applicant desires to place the garages on the rear portion of the property behind the residential structure and push the homes up along the street. This type of development is gaining support in urban core areas that allow redevelopment to encourage a wide mix of homes of various sizes and prices mixed into neighborhoods. The setbacks have been reduced to maximize the building area of the lot. The PUD ordinance contains the condition that the site can only be used for single-family residential with no commercial use of the property. The proposed PUD is not in conflict with the Comprehensive Plan. The proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. Therefore, staff recommends approval of Ordinance 2018-31 for a Planned Unit Development to be developed in substantial accordance with the conceptual site plan listed as exhibit A in the ordinance.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2018-31 PUD Ordinance 607 Lake Ave Formatted	2018-31 PUD Ordinance 607 Lake Ave Formatted.docx
2.	607 Lake Ave Maps	607 Lake Ave Maps.pdf
3.	Conceptual Site Plan	Conceptual Site Plan.pdf
4.	Site Photos	Site Photos.pdf
5.	607 Lake Ave Legal Ad PUD	607 Lake Ave Legal Ad PUD.pdf



CITY OF CLERMONT
ORDINANCE NO. 2018-31

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, RECORDING, AND PUBLICATION.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1.

The Official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTION

Lots 1, and 2, Block 56, THE CITY OF CLERMONT, according to the plat thereof as recorded in Plat Book 8, Pages 17 through 23, inclusive, Public Records of Lake County, Florida.

Containing a total of 0.345 acres, more or less.

LOCATION

Southeast corner of the intersection of Lake Avenue & West Minneola Avenue
Alternate Key 1613191

**From: R-3 Residential/Professional
To: Planned Unit Development (PUD)**

SECTION 2. General Conditions

This application for a Planned Unit Development to allow for a three lot single family subdivision; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Planned Unit Development Conceptual Development Plan, Exhibit A. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits.



CITY OF CLERMONT
ORDINANCE NO. 2018-31

3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

SECTION 3. Land Uses and Specific Conditions

1. The project will consist of three (3) single family lots fronting on an existing public streets.
2. Development Standards for the development are listed in the table below.

<u>Design Item</u>	<u>50' Lot</u>
Minimum Lot Area	5,000 square feet
Minimum Living Area	1,000 square feet
Minimum Lot Width	50'
Minimum Lot Depth	100'
Minimum Front Primary Building setback	12'
Minimum Detached Garage Building setback	Must be located in rear yard behind primary structure
Minimum Side Yard Setback	3'
Minimum Driveway Setback	3'
Minimum Rear Yard Setback	3'
Maximum Impervious Surface Ratio (ISR)	0.75

3. The project shall be developed according to the R-3 Residential/Professional zoning designation in the Land Development Code, unless expressly stated above. No commercial uses of the property shall be allowed.

SECTION 4.

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

SECTION 5.

Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from the Section to which such holding shall apply.

SECTION 6.

This Ordinance shall be recorded in the Public Records of Lake County, Florida.

SECTION 7.

This Ordinance shall be published as provided by law, and it shall become law and take effect upon its Second Reading and Final Passage.

Location map:

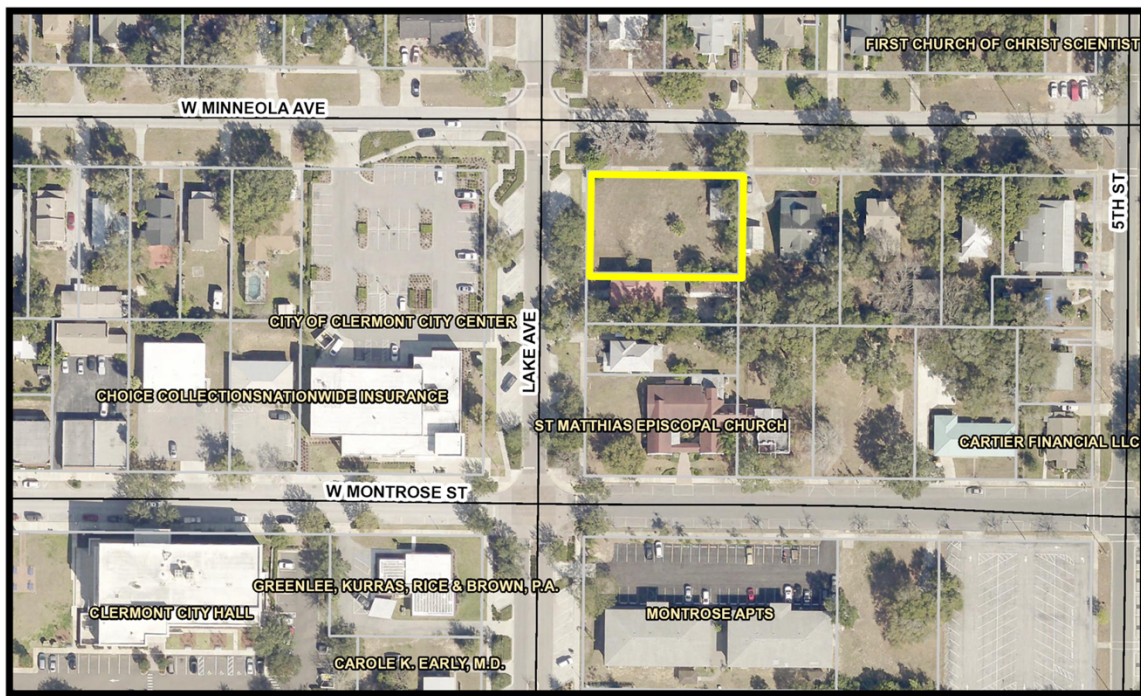
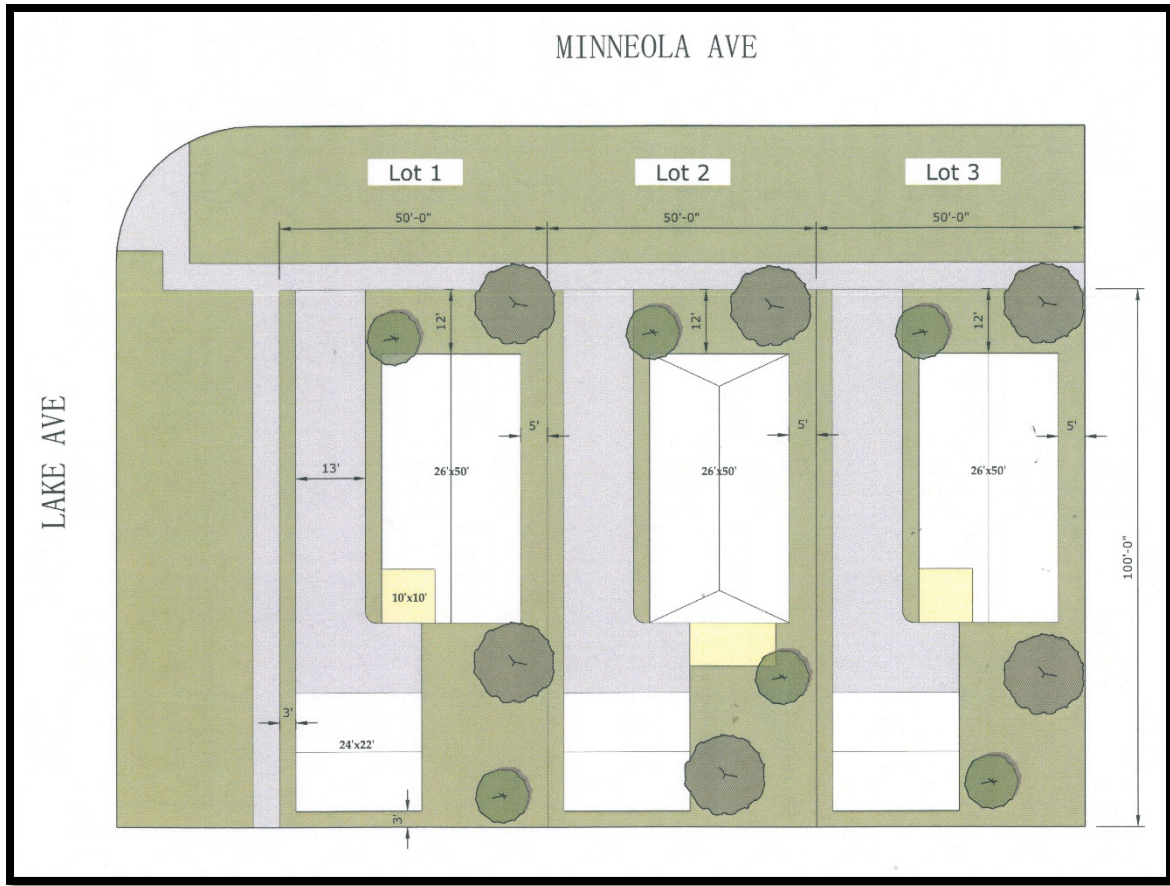


EXHIBIT A





CITY OF CLERMONT
ORDINANCE NO. 2018-31

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 25th day of September, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map 607 Lake Ave.

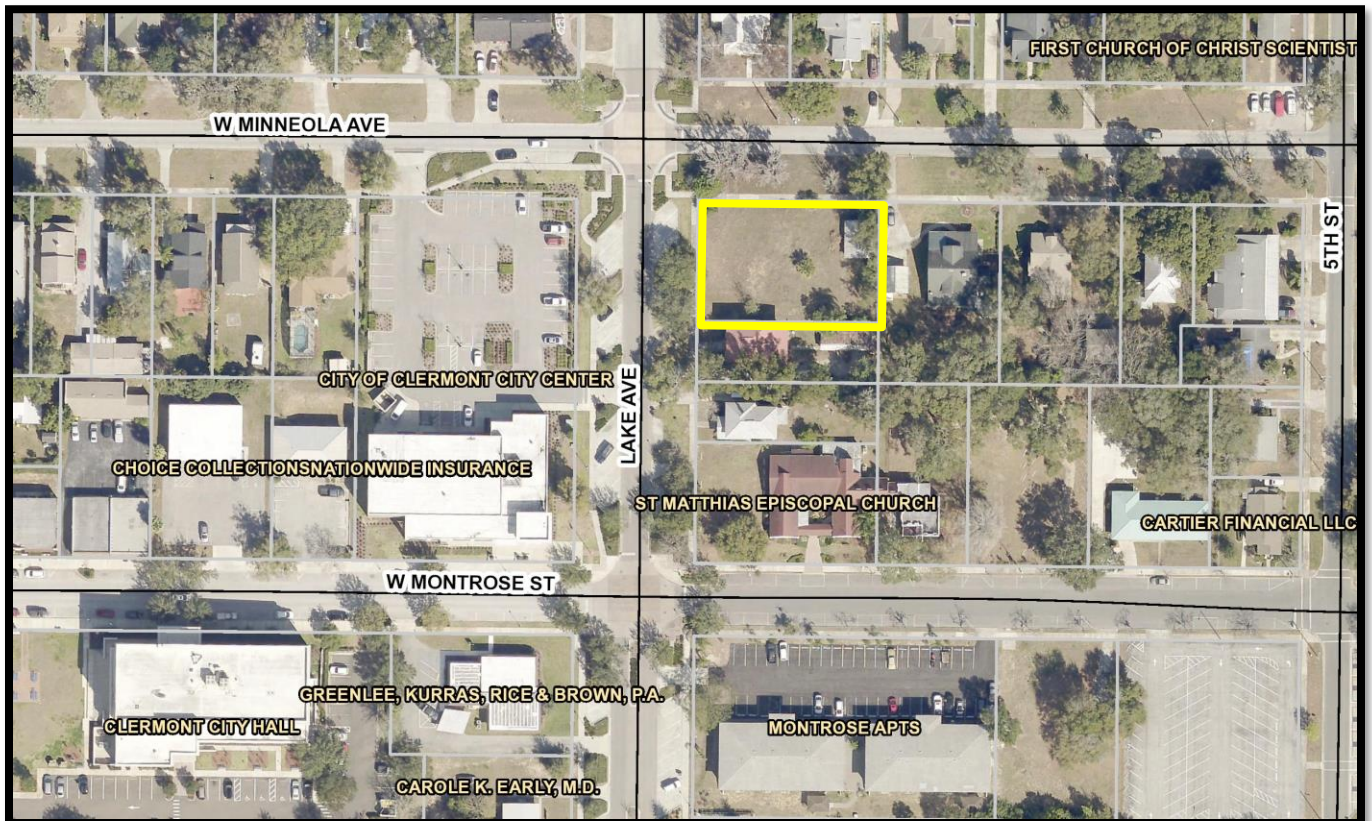


Exhibit - Zoning Map
607 Lake Ave.

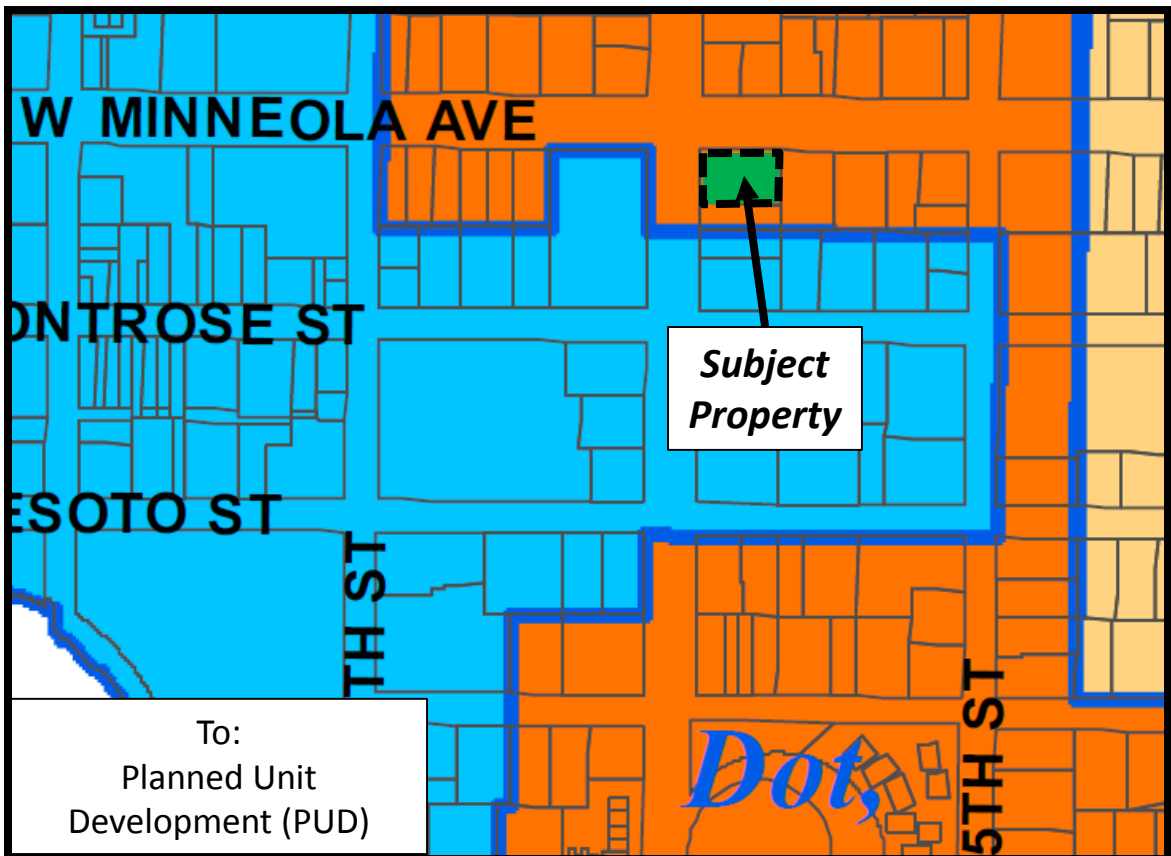
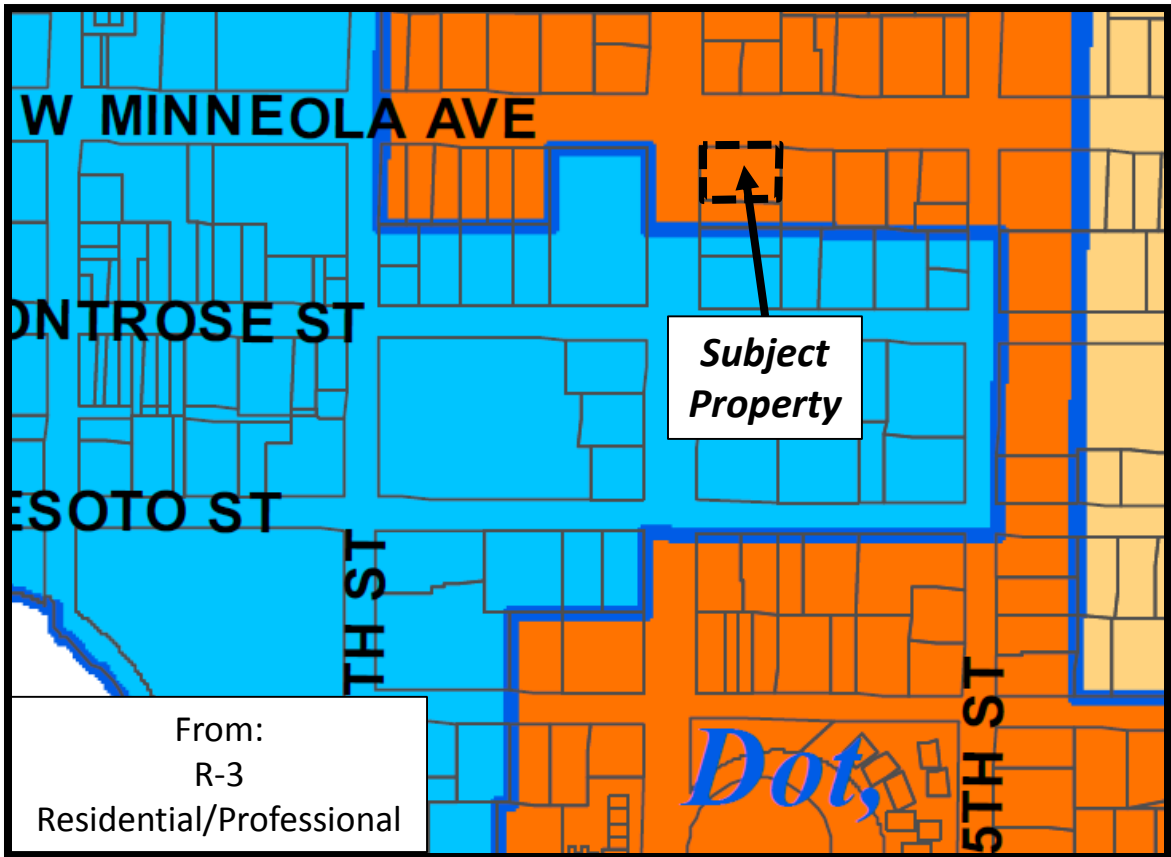
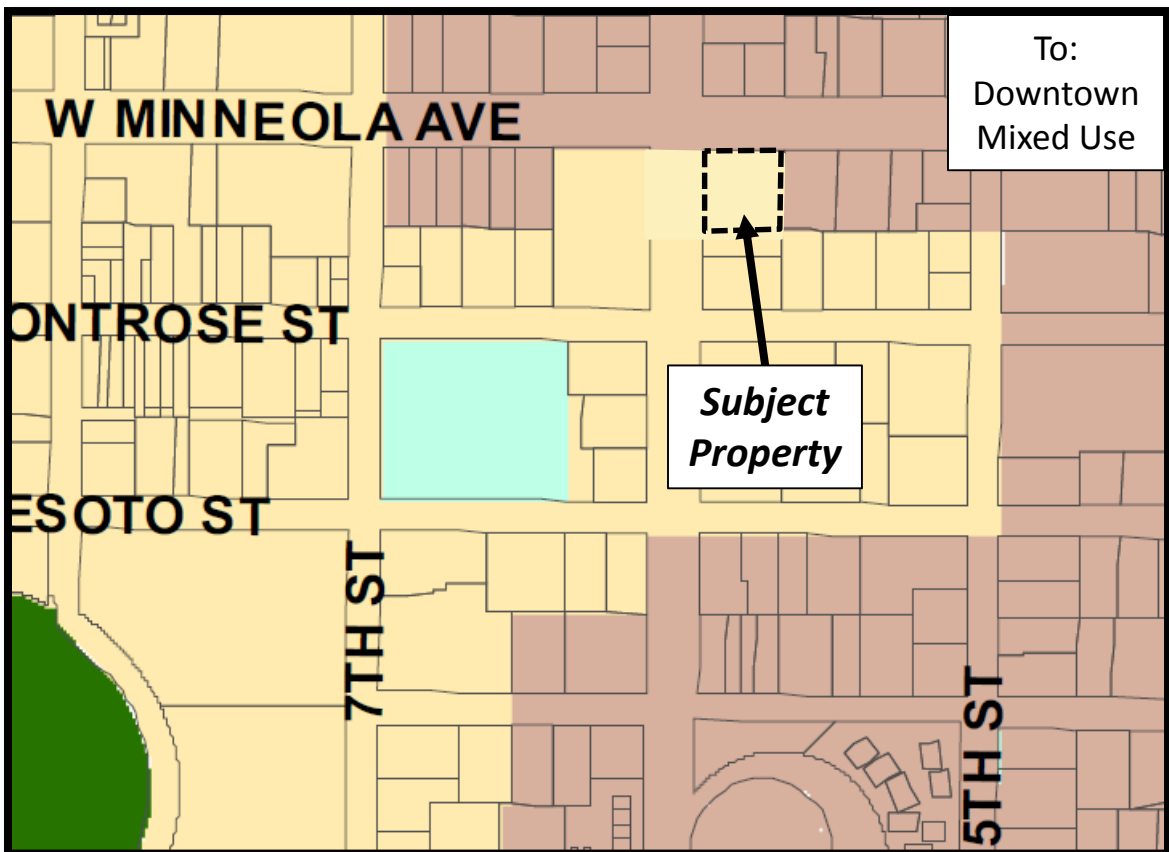
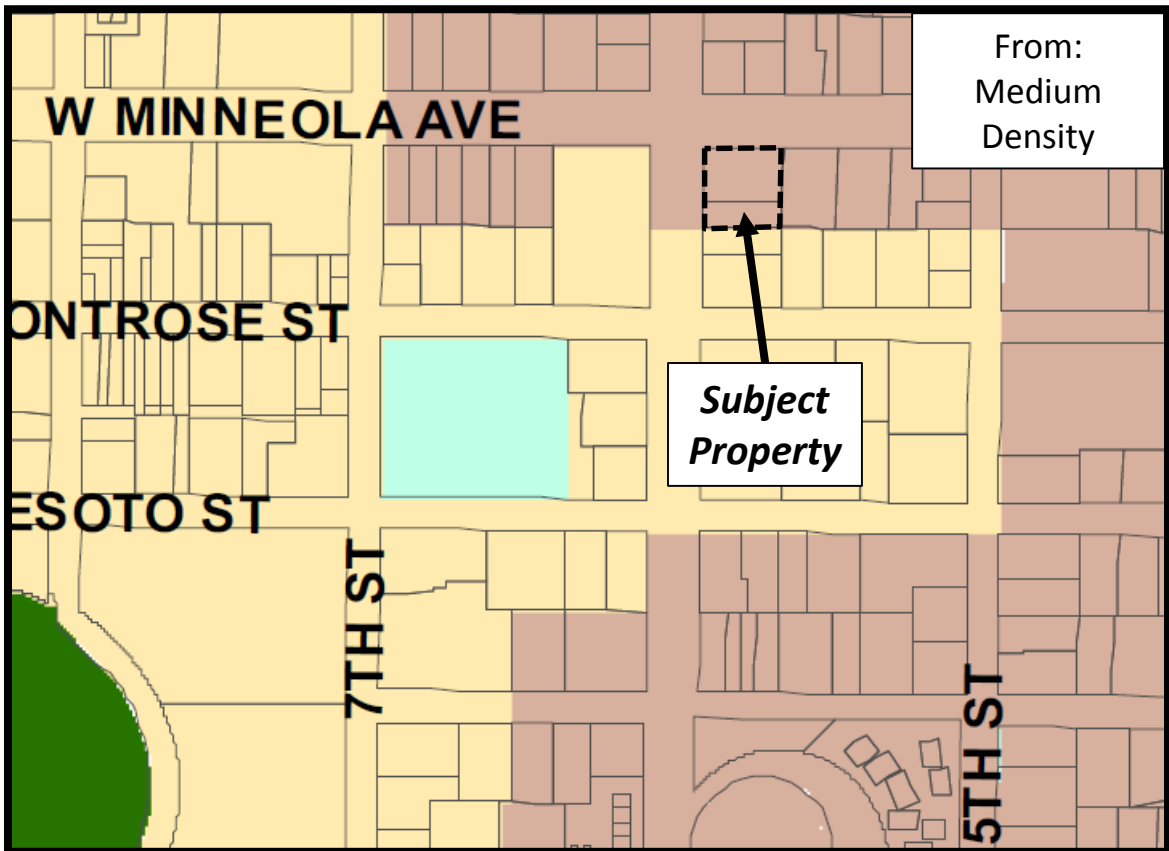
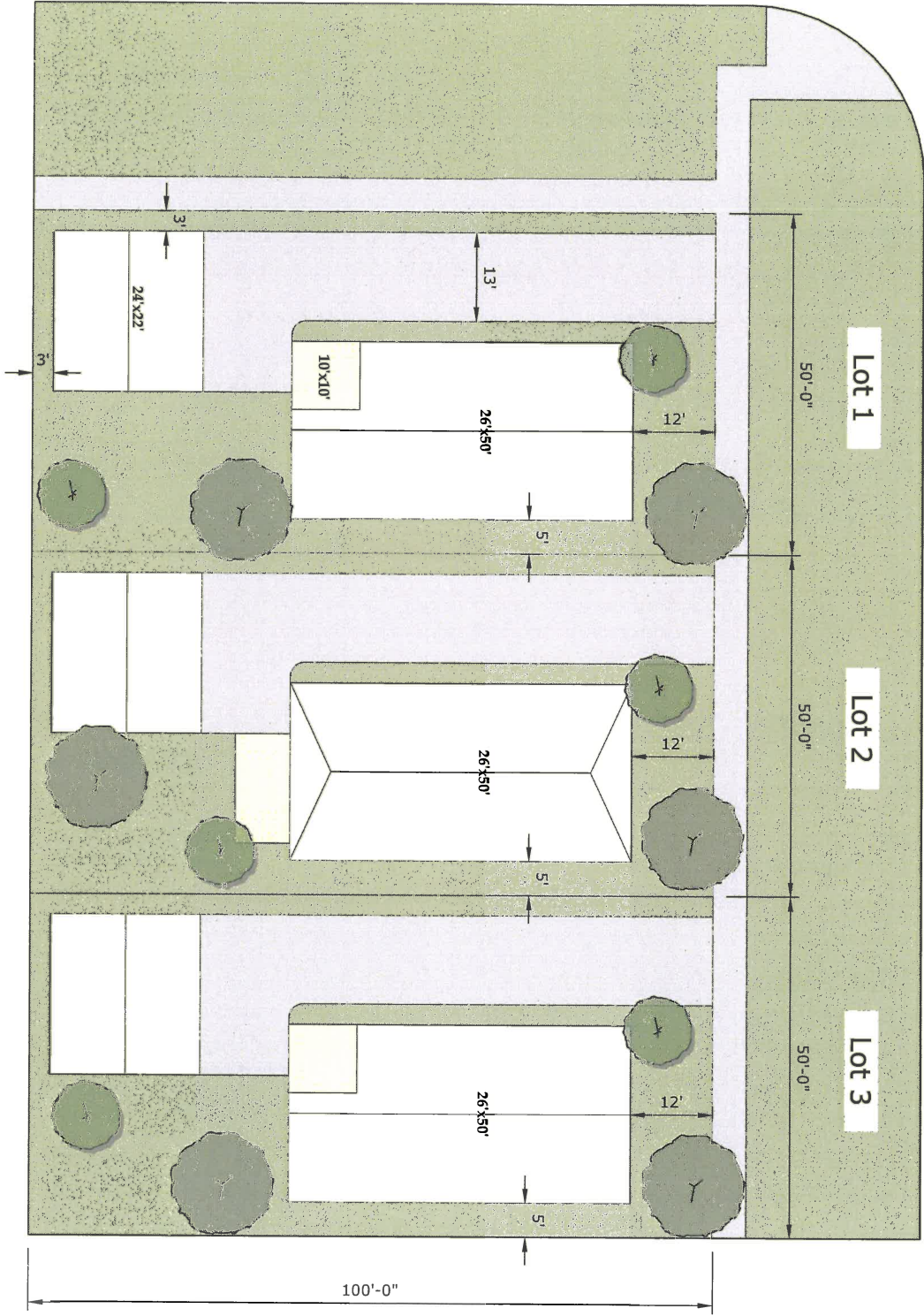


Exhibit – Future Land Use Map
607 Lake Ave. & 619 Lake Ave.



LAKE AVE

MINNEOLA AVE



Site Photos – 607 Lake Ave



East of subject site



Northwest of subject site



North view



West view

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10079824
Phone: (352) 241-7331
Date: 08/20/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	08/28/2018	09/11/2018	\$211.48

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2018-31

An ordinance under the Code of Ordinances of the City of Clermont, Lake County, Florida amending the official zoning map of the City of Clermont, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances; Rezoning the real properties described herein as shown below, providing for severability, an effective date and publication.

LOCATION

Southeast corner of the intersection of Lake Ave. & West Minneola Ave.
Alternate Key 1613191

LEGAL DESCRIPTION

Lots 1, and 2, Block 56, THE CITY OF CLERMONT, according to the plat thereof as recorded in Plat Book 8, Pages 17 through 23, inclusive, Public Records of Lake County, Florida. Alternate Key 1613191

The above described tract of land contains 0.345 acres more or less.

From: R-3 Residential/ Professional
To: Planned Unit Development (PUD)

This request will be considered by the Planning & Zoning Commission on Tuesday, September 4, 2018 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, September 25, 2018 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall,

located at 685 W. Montrose Street. This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M. Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10079824
August 28, 2018 &
September 11, 2018

Payment Info

Ad Price	\$211.48
Tax	\$0.00
Sub Total	\$211.48
Prepaid Amount	\$0.00
Balance Due	\$211.48